



Norah Head boat ramp, the Shire's only ocean access ramp, officially opened last week. Jointly funded by the Australian Government, Roads and Maritime Services and Wyong Shire Council.

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

22 July 2015

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MEETING NOTICE

The **ORDINARY COUNCIL MEETING**
of **Wyong Shire Council**
will be held in the **Council Chamber,**
Wyong Civic Centre, Hely Street, Wyong on
Wednesday 22 July 2015 at 5.00pm,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

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At the conclusion of the meeting and at the discretion of the Mayor, Council may meet with staff in an informal, non-decision making mode for a period of no more than 30 minutes.

Scott Cox
ACTING GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2015/00040 - D12001536

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

That Councillors now disclose any conflicts of interest in matters under consideration by Council at this meeting.

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2015/00040 - D12001541
MANAGER: Lesley Crawley, Manager Corporate Governance
AUTHOR: Jacque Elvidge; Councillor Services Officer

SUMMARY

Briefings proposed for this meeting and future meetings to be held in the Wilfred Barrett and Tim Farrell Committee Rooms:

Date	Briefing	Directorate
22 July 2015	RMS - Update on upgrade of Pacific Hwy through Wyong	Property and Economic Development
22 July 2015	Colongra Sports Precinct	Community and Recreation Services
22 July 2015	University of Newcastle - current and future plans	Property and Economic Development

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings.

ATTACHMENTS

1 Proposed Inspections & Briefings - 22 July 2015 D12011325



Proposed Briefings



Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
RMS - Update on upgrade of Pacific Hwy through Wyong	Property and Economic Development	July	22/07/2015
Colongra Sports Precinct	Community and Recreation Services	July	22/07/2015
University of Newcastle - current and future plans	Property and Economic Development	July	22/07/2015
2015-16 Sponsorship Program	Community and Recreation Services	August	14/08/2015
Development Infrastructure - Porters Creek Stormwater Diversion Project	Development and Building	August	26/08/2015
RZ/6/2013 - Central Coast Wetlands Pioneer Dairy	Development and Building	August	26/08/2015
Marketing Approach 15/16	Community and Recreation Services	August	
Lakeside Plaza, The Entrance	Development and Building	August	
Wyong Regional Skate Park	Community and Recreation Services	September	23/09/2015
Tourism Update	Community and Recreation Services	September	25/11/2015
Rustrum Site, Toukley	Development and Building	September	

1.3 Address By Invited Speakers

TRIM REFERENCE: F2015/00040 - D12001542
MANAGER: Lesley Crawley, Manager Corporate Governance
AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

There have been no requests to address the Ordinary Meeting at the time of printing the Business Paper.

RECOMMENDATION

That Council receive the report on Invited Speakers.

ATTACHMENTS

Nil.

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2015/00040 - D12001544

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 8 July 2015.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 8 July 2015.

ATTACHMENTS

- 1 Minutes - Ordinary Meeting 8 July2015 D12002383

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 08 JULY 2015
COMMENCING AT 5.00PM**

PRESENT

Councillors D J Eaton OAM (Chairperson), G P Best, R L Graham, L A Matthews, L S Taylor, A Troy, D P Vincent and L D Webster.

IN ATTENDANCE

Acting General Manager, Acting Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Manager Integrated Planning, IT and Operations Manager, Communications Coordinator, Communications Officer and two administration staff.

The Mayor, Councillor Eaton OAM, declared the meeting open at 5.02 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Councillor Eaton OAM, delivered the opening prayer and Councillor Matthews read an acknowledgment of country statement.

APOLOGIES

An apology for the inability to attend the meeting was received on behalf of Councillors Greenwald and Nayna due to work commitments.

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Councillor TAYLOR:

692/15 That Council accept the apologies and grant Councillors Greenwald and Nayna leave of absence from the meeting.

The Mayor, Councillor Eaton OAM, advised Council won a Silver Medal in the Australasian Reporting Awards for its 2013/14 Annual Report and invited Kathleen Morris, Manager Integrated Planning, to present the award to Council.

At the commencement of the ordinary meeting report numbers 1.5, 2.2, 2.1, 4.5 and a motion of urgency, were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosures of Interest

2.2 DA 1034/2013 - Proposed Three Storey Boarding House comprising 100 Units (SEPP Affordable Housing) at Ourimbah

Councillor Matthews declared a non-pecuniary significant conflict of interest in the matter for the reason that she has a perceived previous relationship with one of the consultants. Councillor Matthews took no part in discussion and did not vote.

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that the consultant or former consultant to the project is subject to discrimination action by my wife. Councillor Eaton took no part in discussion and did not vote.

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he has a perceived previous relationship with one of the consultants. Councillor Vincent took no part in discussion and did not vote.

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he knows the consultant, Mr Craig Thompson. Councillor Best took no part in discussion and did not vote.

Councillor Taylor declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a representative on the JRPP (Joint Regional Planning Panel). Councillor Taylor took no part in discussion and did not vote.

Councillor Troy declared a non-pecuniary significant conflict of interest in the matter for the reason that his family members live in the area and have lobbied me in this matter. Councillor Troy took no part in discussion and did not vote.

Councillor Webster declared a non-pecuniary significant conflict of interest in the matter for the reason that Mr Gregory Junior is the Vice President of the Liberal Dobell FEC (Federal Electoral Council) and worked on my election campaign. Councillor Webster took no part in discussion and did not vote.

4.2 Road Capital Works Program

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he would like to note the works at the western section of Vincent Close Buff Point have been completed. I became aware of these works after it had been to the chamber and disclosed to the General Manager after obtaining an informed interest. The works are in the general locality to where I live and do not provide any benefit or connect directly to my property.

Councillor Vincent stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

4.5 Temporary Economic Stimulus Plan

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that his family business may have supplied materials to one or more of the parties' names in the report. Councillor Eaton left the chamber at 5.29 pm, took no part in discussion, did not vote and returned to the chamber at 5.43 pm.

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

693/15 That Council receive the report on Disclosure of Interest and note advice of disclosures.

PROCEDURAL MOTION

RESOLVED unanimously on the motion of Councillor TROY and seconded by Councillor TAYLOR:

694/15 That Council allow meeting practice to be varied.

695/15 That Council use the exception method to deal with the balance of the Agenda.

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

696/15 That with the exception of report numbers 1.5, 2.1, 2.2, 4.5 and a possible Motion of Urgency Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Inspections and Briefings

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

697/15 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

698/15 That Council receive the amended report on Invited Speakers.

1.4 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

699/15 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 24 June 2015.

Business Arising

There was no business arising.

1.5 Mayoral Minute - Ourimbah Rugby Fire

RESOLVED unanimously on the motion of Councillor EATON:

700/15 That Council endorse the Mayors commitment of rendering all possible assistance to the Ourimbah Rugby Club following its devastating fire.

701/15 That this assistance include:

- **Council removal of debris**
- **Council assistance in maintaining the club grounds and line marking**
- **Delegation of authority to the acting General Manager to approve any urgent CCIG application by the club.**

2.1 DA/857/2014 Residential Flat Building at Howarth St, Wyong

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

702/15 That Council approve DA/857/2014 at 51-53 Howarth Street, Wyong as a deferred commencement consent subject to the conditions provided as Attachment 1 and an additional deferred commencement condition be added which requires the lodgement by the applicant of plans which demonstrate an improved façade treatments by way of additional colours and variation of external finishes to result in a more contemporary building appearance, to the satisfaction of Council's Director Building and Development.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

2.2 DA 1034/2013 - Proposed Three Storey Boarding House comprising 100 Units (SEPP Affordable Housing) at Ourimbah

Councillor Matthews declared a non-pecuniary significant conflict of interest in the matter for the reason that she has a perceived previous relationship with one of the consultants. Councillor Matthews took no part in discussion and did not vote.

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that the consultant or former consultant to the project is subject to discrimination action by my wife. Councillor Eaton took no part in discussion and did not vote.

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he has a perceived previous relationship with one of the consultants. Councillor Vincent took no part in discussion and did not vote.

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he knows the consultant, Mr Craig Thompson. Councillor Best took no part in discussion and did not vote.

Councillor Taylor declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a representative on the JRPP (Joint Regional Planning Panel). Councillor Taylor took no part in discussion and did not vote.

Councillor Troy declared a non-pecuniary significant conflict of interest in the matter for the reason that his family members live in the area and have lobbied me in this matter. Councillor Troy took no part in discussion and did not vote.

Councillor Webster declared a non-pecuniary significant conflict of interest in the matter for the reason that Mr Gregory Junior is the Vice President of the Liberal Dobell FEC (Federal Electoral Council) and worked on my election campaign. Councillor Webster took no part in discussion and did not vote.

PROCEDURAL MOTION IN RELATION TO ITEM 2.2

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor WEBSTER:

703/15 That Council refer this matter to the General Manager for consideration.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

3.1 Local Government NSW Annual Conference 2015

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

704/15 That Council authorise those interested Councillors and the General Manager to attend the Local Government NSW Annual Conference 2015.

705/15 That Council pay reasonable expenses incurred in Councillors attending the conference in accordance with the Policy for Facilities and Expenses for Councillors.

706/15 That Council note the change in voting arrangements for the 2015 Conference.

707/15 That Council note the deadline for any motions to be submitted for inclusion on the business paper is Monday 14 September 2015.

3.2 Proposed Councillors' Community Improvement Grants

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

708/15 That Council allocate an amount of \$7,100 from the 2014-15 Councillors' Community Improvement Grants as follows:

<i>Take 3 Ltd (\$4,000) (\$900 already allocated</i>	<i>Associated running costs of the Whale Dreamers Festival - 2015</i>	<i>3,100</i>
<i>The Trustee for Southern Cross Austereo Community Ancillary Fund (\$4,000)</i>	<i>Raising money for 'Give Me 5 for Kids' which will go towards purchasing equipment for Wyong Hospital and will benefit the Wyong Shire.</i>	<i>4,000</i>

4.1 Disclosure of Interest Returns - 1 April to 30 June 2015

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

709/15 That Council receive the report on Disclosure of Interest Returns 1 April to 30 June 2015.

4.2 Road Capital Works Program

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he would like to note the works at the western section of Vincent Close Buff Point have been completed. I became aware of these works after it had been to the chamber and disclosed to the General Manager after obtaining an informed interest. The works are in the general locality to where I live and do not provide any benefit or connect directly to my property.

Councillor Vincent stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

710/15 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

4.3 Annual Water Supply and Sewerage Performance Reporting

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

711/15 That Council receive the report on Annual Water Supply and Sewerage Performance Reporting.

4.4 Quarterly Risk Management Report - June 2015

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

712/15 That Council receive the report on Quarterly Risk Management Report - June 2015.

4.5 Temporary Economic Stimulus Plan

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that his family business may have supplied materials to one or more of the parties' names in the report. Councillor Eaton left the chamber at 5.29 pm, took no part in discussion, did not vote and returned to the chamber at 5.43 pm.

Councillor Vincent left the meeting at 6:06 pm and returned to the meeting at 6:08 pm during consideration of this item.

Councillor Eaton vacated the chair and Councillor Webster assumed the Chair for consideration of this item.

RESOLVED unanimously on the motion of Councillor TROY and seconded by Councillor BEST:

713/15 That Council extend the deadline for the Temporary Economic Stimulus Plan until 30 September 2015.

Councillor Eaton resumed the chair.

4.6 Outstanding Questions on Notice and Notices of Motion

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

714/15 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

U3/15 Motion of Urgency - RMS's Speedbump Band-Aid, Toukley
Councillor Greg Best
 F2015/00040

LEAVE TO INTRODUCE A MOTION OF URGENCY

Councillor Best sought leave to introduce a Motion of Urgency concerning failing speedbumps recently installed on Main Road, Toukley.

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor TROY:

715/15 That Council consider a motion of Urgency regarding failing speedbumps recently installed on Main Road, Toukley.

The Mayor ruled the matter was of great urgency and could be introduced as a Motion of Urgency.

U3/15 Motion of Urgency - RMS's Speedbump Band-Aid, Toukley

716/15 That, with some 56 accidents over the past 5 years resulting in 34 injuries to motorists and pedestrians, Council clearly recognises the need for improved traffic management on main road Toukley, particularly through the commercial village precinct.

717/15 That Council notes that main road Toukley is managed by the RMS (Roads and Maritime Services) and that all activities, alterations and repairs can only be carried out with the express approval of the State Government's RMS.

- 718/15 *That Council note that no other main arterial corridor on the central coast such as main road Toukley, with some 20,000 cars a day, has had installed speed bumps.*
- 719/15 *That Council recognises the significant community concern around the installation of these traffic calming devices.*
- 720/15 *That, due to the community outrage, the lack of thorough consultation and the resultant increased vehicle noise, Council call on the RMS to immediately remove these speed bumps.*
- 721/15 *That Council supports the RMS's proposed 40km zone through Toukley town centre and appropriate chicane and pedestrian refuge traffic calming devices as utilised in 40km/h school zones.*
- 722/15 *That staff liaise with the contractor and RMS to negotiate a contractually valid solution that addresses the design, location, method of construction and alternative methods of achieving the desired speed outcomes.*

Councillor note:

As the local area Councillor and resident of Main Road Toukley for the past 30 years, I for one fully appreciate the need to better manage the main road and pedestrian corridor.

With the imminent growth of Warnervale, much pressure will fall upon Main Road Toukley, particularly for residents seeking to access our beaches.

Main Road Toukley is a major arterial corridor; it is an economically vital corridor that requires to be managed in consultation with the key stakeholders and indeed the broader community. In my view the installation of the speed bumps is an extremely short sighted and clearly a cost cutting option, with no regard to the disruption of motorists, the increased noise generated in the shopping district and provides little comfort to pedestrians.

Already I have been advised that there have been rear end accidents where small and low vehicles are required to stop at the bumps, with vehicles running into the rear of them. Also, as we have learnt with speed bumps in Norah Head Soldiers Beach carpark, these speed bumps have been used by hooners as a launch pad for their car park burnouts.

I also note this morning that the speed bumps that have been installed only a week ago are crumbling and failing, which may result in rim damage to tyres of vehicles.

As outlined previously, nowhere, not anywhere on the Central Coast does a main arterial corridor "enjoy" speed bumps. Main road Toukley has two 40km school zones that operate extremely well without speed bumps. This ridiculous initiative must be called to account and makes as much sense as putting speed bumps on the M1.

PROCEDURAL MOTION

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor BEST:

723/15 That Council allow meeting practice to be varied.

724/15 That Council grant Councillor Nayna leave of absence from the 22 July 2015 Ordinary Council meeting due to work commitments.

QUESTIONS ON NOTICE

**Q26/15 Heritage Lighting Wyong
Councillor Lisa Matthews
M2015/00591**

“Can the General Manager please advise why the heritage lighting throughout Wyong Town Centre has been removed/ demolished?”

THE MEETING closed at 6.10pm.

2.1 Planning Proposal - 2 Norberta St The Entrance - Rezone from E2 to R2/R3

TRIM REFERENCE: RZ/9/2014 - D11708454

MANAGER: Tanya O'Brien, Manager

AUTHOR: Rodney Mergan; Senior Planner

SUMMARY

Council has received an application seeking the rezoning of several parcels of land at Norberta Street, The Entrance from E2 Environmental Conservation to a mixture of R2 Low Density Residential and R3 Medium Density Residential under *Wyong Local Environmental Plan (LEP) 2013*.

The site is vacant but heavily vegetated. A preliminary assessment of the proposal indicates that the land may be developable with the loss of vegetation being compensated by the rehabilitation of nearby public lakefront land through an environmental offset.

This report recommends the following:

- Council prepare a planning proposal and request a gateway determination from the Department of Planning and Environment (DP&E).
- Council and the landowner enter into a Voluntary Planning Agreement (VPA) to allow for the development of the land subject to appropriate offsetting actions from the proponent to facilitate environmental outcomes.

Applicant: Wales & Associates Pty Ltd
Owners: Central Coast Land Pty Ltd
Proposal No.: RZ/9/2014
Description of Land: 2 Norberta Street, THE ENTRANCE NSW 2261
Lots 65-73 DP 18372
Zoning: E2 Environmental Conservation
Existing Uses: Vacant and vegetated.

RECOMMENDATION

- 1 ***That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan, 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act, 1979, to permit residential development on Lots 61-76 DP 18372 & Lot 523 DP 821676.***
- 2 ***That Council forward the Planning Proposal to the Department of Planning and Environment accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act 1979.***
- 3 ***That Council request the General Manager to apply for plan making delegations for the rezoning.***

2.1 Planning Proposal - 2 Norberta St The Entrance - Rezone from E2 to R2/R3 (contd)

- 4 That Council request the General Manager negotiate and publically exhibit a draft Voluntary Planning Agreement that will secure the preservation and enhancement of the Tuggerah Lakes foreshore and surrounding land in the immediate area of the proposed development.**
- 5 That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination.**
- 6 That Council consider a further report on results of the community consultation.**

BACKGROUND

The site consists of 9 lots that previously formed part of The Entrance Infants School bounded by Norberta Street in the south, Tuggerah Parade in the west, Battley Avenue in the north. The Entrance Infants School was closed and amalgamated into The Entrance Primary School site in 2002.

The eastern section of the school site (Lot 101 DP 1136894) was sold to Council in 2006 by the Department of Education and Training (DET) to accommodate The Entrance Community Centre (see figure 1).

Council had previously endorsed the rezoning of the entire site under RZ/4/2001 to 5(a) Special Use-School to 2(c) Medium Density Residential and 6(a) Open Space and Recreation, however this process was discontinued by DET preferring to use the Site Compatibility Certificate (SCC) process introduced under State Environmental Planning Policy (SEPP) Infrastructure 2007. A SCC was issued by the Department of Planning in 2008 to facilitate the development and sale of the remainder of the site.

This SCC permitted residential development on central portion of the land but did not permit residential development on the land subject to this proposal, though required that both sites be included in any land sale.

The land was purchased by Central Coast Land Pty Ltd and development applications were lodged for dual occupancy development on each lot where residential development was permitted under the SCC. These consents were not pursued and on 22 December 2014 a development application (DA/1185/2014) for a 46 unit residential flat building was lodged for the same land. This development application is yet to be determined.

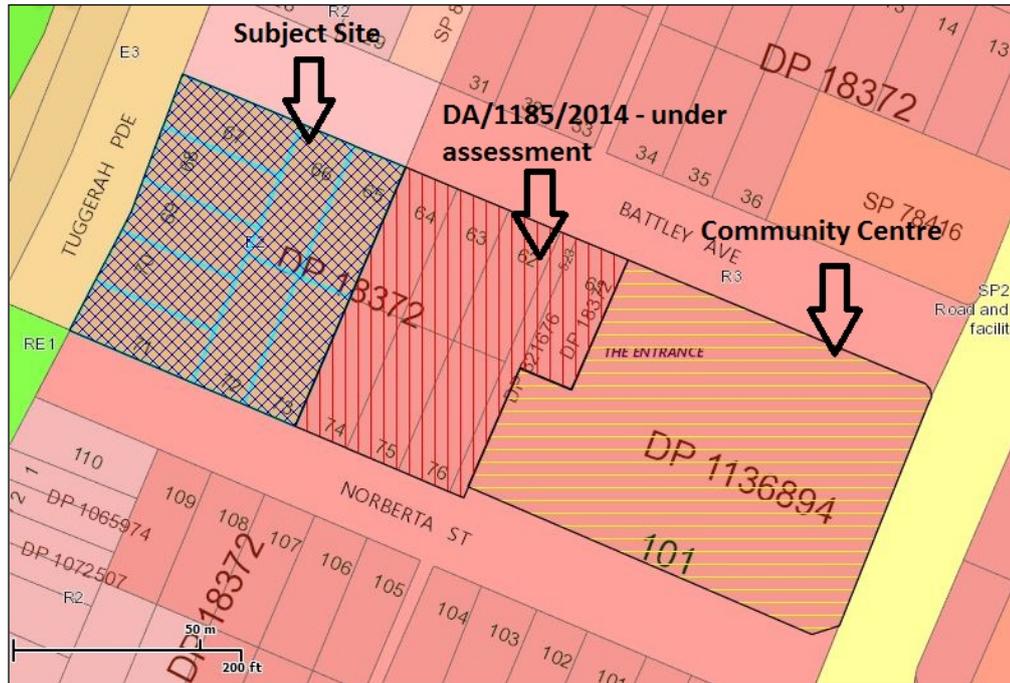


Figure 1 – Former The Entrance Primary School Site – Subject site cross hatched

Council’s mapping currently indicates that the subject site contains the Endangered Ecological Community (EEC) Swamp Sclerophyll Forest on Coastal Floodplain (see figure 2). The site is zoned E2 – Environmental Conservation under *Wyong LEP 2013*. This zoning was consistent with the *Environmental Management Framework* that formed part of draft *Wyong LEP 2012* exhibition material which indicated that “intact mapped EEC’s should be zoned E2”. No submission was received from the landowner with regard to this zoning during the exhibition of draft *Wyong LEP 2012*. Preliminary discussions in with the proponent in December 2013, identified that the offsetting of the removal of vegetation on land containing an EEC was unlikely to prove cost-effective.

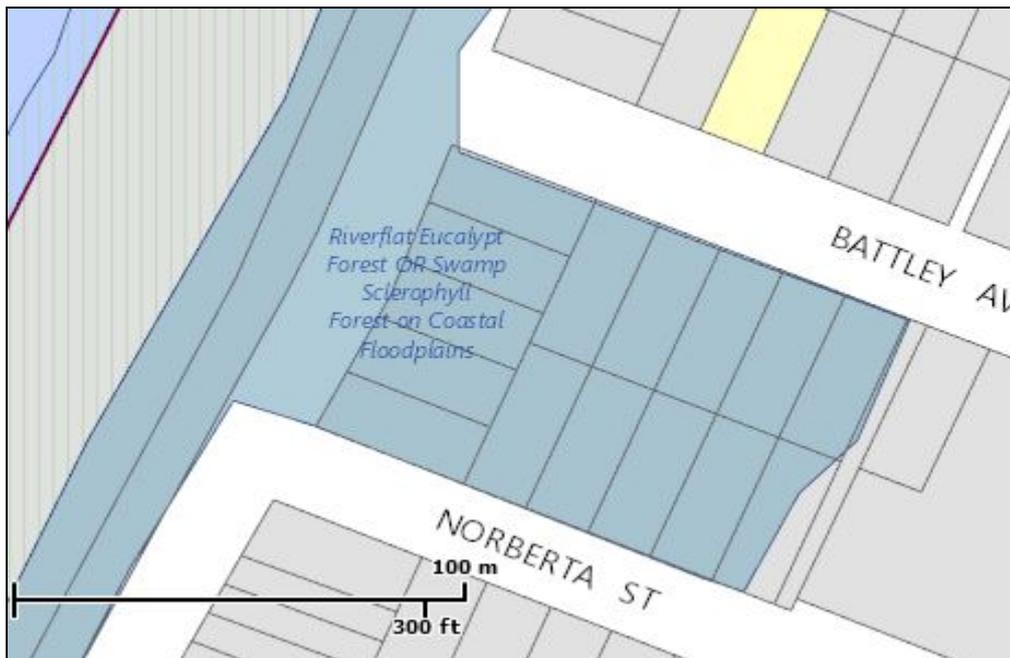


Figure 2 – Extract from Council’s current biodiversity mapping

2.1 Planning Proposal - 2 Norberta St The Entrance - Rezone from E2 to R2/R3 (contd)

A Review of EEC Determination – Norberta Street The Entrance by PDA Services submitted with this initial application indicates that the vegetation on the site is not an EEC as the site's elevated position in the landscape precludes it from meeting the EEC criteria with regard to being located on an alluvial flat or drainage line associated with a coastal floodplain. Further offsetting vegetation removal may be less onerous than originally envisaged. The findings of this report have been supported by Council's ecologist.

While the vegetation on site is not considered to be the described EEC, there are still requirements under the *Native Vegetation Regulation 2013* to improve or maintain environmental outcomes that need to be addressed.

The proposal is seen as an opportunity to permit development on the land while reasonable compensation can be made via a Voluntary Planning Agreement (VPA) or similar mechanism to maintain and embellish nearby public land along the Tuggerah Lakes Foreshore.



Figure 3 – Aerial Photo of subject site

THE PROPOSAL

It is proposed that a planning proposal prepared in accordance with the requirements of the EP&A Act 1979 be forwarded to the DP&E requesting a Gateway Determination. The proposed outcome will be achieved by:

- Amending *Wyong Local Environmental Plan (LEP) 2013* Land Zoning Map from E2 – Environmental Conservation to part R2 – Low Density Residential and part R3 – Medium Density Residential.

2.1 Planning Proposal - 2 Norberta St The Entrance - Rezone from E2 to R2/R3 (contd)

- Amending *Wyong Local Environmental Plan (LEP) 2013* Floor Space Ratio Map to include the site and reflect the floor space ratio requirements for surrounding land in the R2 and R3 zones.
- Amending *Wyong Local Environmental Plan (LEP) 2013* Height of Building Map to include the site and reflect the building height requirements for surrounding land in the R2 and R3 zones.

The proposed rezoning would permit medium-density development on four lots that adjoin the existing R3 zone. The five lots that front an unformed section of Tuggerah Parade are proposed to be rezoned to the R2 zone (see figure 4).

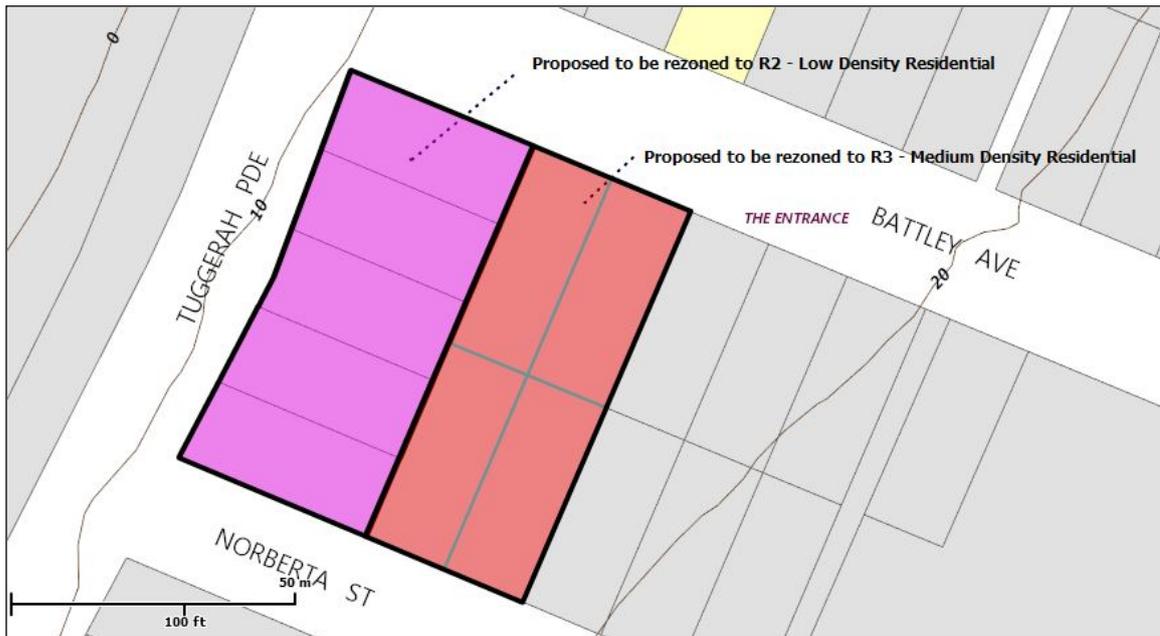


Figure 4 – Proposed zones

ASSESSMENT

In accordance with the EP&A Act 1979, assessment against the relevant strategic considerations of Council is required in the preparation of Planning Proposals. Assessment of the significant considerations are summarised below:

Biodiversity Issues

The *Flora and Fauna Assessment Report* by Conacher Consulting confirms that the site did not meet the criteria to be identified as an EEC and concludes that:

- The proposed development is not likely to have a significant effect on threatened species, populations or ecological communities or their habitats; and
- A Species Impact Statement is not required for the proposed development.

2.1 Planning Proposal - 2 Norberta St The Entrance - Rezone from E2 to R2/R3 (contd)

This report has been reviewed by staff with several issues identified including the need for some additional survey work to be undertaken. However the report provides suitable basis for the referral of the application to DP&E for gateway determination with the further survey work to be completed prior to public exhibition and subject to any further requirements of the Office of Environment and Heritage (OEH). In addition, *Section 117 Ministerial Direction 2.1 Environmental Protection Zones* will need to be addressed by a study which gives consideration as to how the proposal will “protect and conserve environmentally sensitive areas”.

While the vegetation on site is not considered to be an EEC, for the removal of native vegetation, requirements under the *Native Vegetation Regulation 2013* to “improve or maintain environmental outcomes” will still need to be addressed. This could potentially be achieved by Biobanking or by ameliorating impacts through on-site habitat retention or the enhancement of similar habitat.

The applicant has indicated a preference toward the provision of a Voluntary Planning Agreement (VPA) to maintain and embellish surrounding public land along the Tuggerah Lakes Foreshore which contains similar habitat. The quantifying of offsetting via the Biobanking Tool can be used to estimate the scope of restoration offsets and estimate a monetary value to satisfy OEH, DP&E and Council that the “improve or maintain environmental outcomes” have been achieved through the undertaking of or contribution to works in the vicinity of the site. This is consistent with OEH’s principles for the use of offsets in NSW. This will also assist in the applicant resolving threatened species issues at the development application stage under Section 5A of the *EP&A Act 1979*.

Preliminary discussions with Council’s Waterways Coastal staff indicate that funding for additional works in the locality could be considered and enhance the existing Long Jetty Bush Regeneration Project currently being undertaken in the area as part of the Tuggerah Lakes Clean-up Project (TLCuP). This approach is consistent with the *Wyong Shire Council Property Strategy* with regard to the maintenance of Council’s Legacy Lands Portfolio as it would not increase the area of legacy lands but would potentially increase the value of existing Council land and will minimise ongoing maintenance requirements for this area.

Access

The proposal seeks the consent to rezone existing allotments fronting Norberta Street, Tuggerah Parade and Battley Ave. Physical access directly from Tuggerah Parade is difficult due to the steep topography of the land, existing electricity infrastructure and the current E3 zoning and is unlikely to be supported. The applicant has indicated that access from Tuggerah Parade is not proposed with internal access proposed for these lots.

Adequate vehicle manoeuvrability for the waste management vehicle will need to be considered further.

Planning Proposal Considerations

The *Guide to Preparing Planning Proposals* (Department of Planning and Infrastructure 2012) provides the guidelines for the information that is to be provided by Council to the DP&E when seeking a gateway determination. Section 2.3(a) of the guide provides a list of “questions to consider when demonstrating the justification”, which should be considered prior to Council’s endorsement of any proposal for gateway determination. This requires that the relevant State and local Strategies, relevant *State Environmental Planning Policies* (SEPP’s) and *Ministerial Section 117 Directions* must be considered.

The proposal is considered to be adequately consistent with the considerations of the *SEPP’s* and *Section 117 Directions* and *Council’s Strategic Plan*. However, as stated above, further justification will need to be provided with regard to any reduction to the environmental protection standards that apply to the land with regard to *Direction 2.1 Environmental Protection Zones*.

CONSULTATION

The gateway determination will provide the requirements for external consultation and public exhibition. It is likely that the gateway determination will require that authorities such as OEH be consulted either prior to or during the public exhibition process. The results of the consultation process will be reported to Council.

GOVERNANCE AND POLICY IMPLICATIONS

The processing of the Planning Proposal is being undertaken in accordance with Council’s adopted Planning Proposal Procedure.

Rezoning of the land is undertaken by preparing an amendment to the LEP through progressing of a Planning Proposal under sections 55-59 of the Environmental Planning and Assessment Act 1979.

Section 55 requires Council to prepare a Planning Proposal that explains the intended effect of the amendment to the LEP and sets out the justification for the amendment. Section 55 specifies matters to be included in the Planning Proposal.

Section 56 provides that Council submit the Planning Proposal to the Minister for a gateway determination who will advise whether or not the matter should proceed (with or without variation), and may specify further studies or modifications to the proposal, community and government agency consultation requirements and other matters.

It is recommended that Council request delegation from the Minister for Planning for the determination of this planning proposal.

CONCLUSION

The potential development of the land for residential purposes is considered to have merit. A preliminary assessment of the proposal indicates that the site may be suitable for such development subject to any vegetation loss being adequately offset by embellishment work in the immediate area.

It is recommended that a planning proposal be prepared for the consideration of the DP&E requesting a gateway determination be issued. The gateway determination will provide the requirements for further studies and Government Department and public consultation. It is recommended that a draft VPA addressing environmental issues and offsets be prepared and publically exhibited with the planning proposal with the results of the exhibition process be reported back to Council for further consideration.

ATTACHMENTS

Nil.

2.2 Supplementary Report - RZ/8/2014 - Proposed Planning Proposal for Land at Aldinga Road, Gwandalan

TRIM REFERENCE: RZ/8/2014 - D11972842

MANAGER: Tanya O'Brien, Manager

AUTHOR: Peter Kavanagh; Senior Planner

SUMMARY

This report provides an overview of the public meeting held at the Gwandalan Bowling Club on 3 June 2015. The meeting was held to discuss the proposal to allow tourist and visitor accommodation as an additional land use on Nos. 2 – 8 Aldinga Road Gwandalan.

This report recommends that Council proceed to prepare a Planning Proposal to be forwarded to the Department of Planning and Environment (DP&E) for gateway determination, based on the overwhelming community support for the project.

Applicant	Aconsult
Owners	Gwandalan Bowling Club
Proposal No	RZ/8/2014
Description of Land	Lots 1, 2, 3 & 4, Section 22, DP 28961, Nos. 2 – 8 Aldinga Road, Gwandalan
Zoning	R2 Low Density Residential
Proposal	Insert an enabling provision within Schedule 1-Additional Uses to permit a form of "tourist and visitor accommodation" on the land
Existing Use	Vacant

RECOMMENDATION

- 1 ***That Council receive and note the report on the outcomes of the Gwandalan Bowling Club public meeting.***
- 2 ***That Council prepare a planning proposal to amend the Wyong Local Environmental Plan (WLEP 2013) to insert an enabling provision within Schedule 1-Additional Uses, to permit a form of "tourist and visitor accommodation" on the land.***
- 3 ***That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act 1979.***
- 4 ***That Council undertake agency and community consultation regarding the planning proposal in accordance with the gateway determination.***

BACKGROUND

Council has received an application to amend the WLEP 2013 to allow the use of “Tourist and Visitor Accommodation” on land at 2-8 Aldinga Road, Gwandalan. The land is situated to the south of the neighbourhood shopping centre and to the west of the Gwandalan Bowling Club, which is located within the foreshore reserve to Crangan Bay, Lake Macquarie (see Figure 1). The sites are currently zoned R2 Low Density Residential and have a combined area of approximately 3066m². A copy of the previous report on the proposal is provided within Attachment 1.



Figure 1: Site Context

This proposal was detailed in the report considered by Council at its meeting of 22 April 2015 (refer Attachment 1). In consideration of this report:

“It was moved on the motion of Councillor BEST and seconded by Councillor WEBSTER:

375/15 That Council defer this matter for full preliminary public consultation via a public meeting at Gwandalan. This meeting to be convened by Council, held at the Bowling Club (if possible) and be notified widely within the Gwandalan community.”

In accordance with Councils’ resolution, a public meeting was arranged and notified widely within the Gwandalan community. The meeting, chaired by Councillor Best, was held on Wednesday 3rd June at the Gwandalan Bowling Club and commenced at 7pm. The meeting was well attended by local residents (approximately 180 persons) and provided an opportunity for the community to ask questions and make statements on the proposal.

Councillor Best detailed the course of the Planning Proposal so far, indicating that Council had considered an initial report which was referred to Council’s Employment and Economic Development Committee (EEDC) for consideration of the highest and best use for the land.

2.2 **Supplementary Report - RZ/8/2014 - Proposed Planning Proposal for Land at Aldinga Road, Gwandalan (contd)**

A brief overview of the proposal was provided by the Gwandalan Bowling Club President Colin Wynn and planning comments were provided by planning consultant Lorelle Fitzpatrick. Wyong Shire Council staff answered questions relating to the process for consideration of planning proposals and the likely timeframes for the process.

Speakers in favour of the proposal highlighted the following points:

- The proposal will assist in securing a solid financial future for the Club, which in turn supports the local community and sporting activities, and provides a venue for social cohesion within the community;
- The long term plan is for this development to help finance further new development on the Lake Macquarie foreshore (including a function centre, café, children's playground, jetty extension with new berths and pump out station to encourage the establishment of a sailing club);
- There are currently no commercial tourist accommodation premises (e.g. hotel or motel) in Gwandalan. The proposal will address an identified need for tourist and visitor accommodation in the Gwandalan/Summerland Point area;
- The proposal includes purpose built aged or disabled persons visitor accommodation;
- The proposal will create new local employment opportunities;
- The site is in close proximity to the surrounding services and facilities, the neighbourhood shops and the Club. Future issues relating to the design and operation of the development can be further considered and appropriately conditioned as part of any future development application for the use of the land; and
- The community wanted to support tourism, jobs for residents and young people, and assist the survival of the Club.

The two speakers who did not support the proposal highlighted the following issues:

- Concerns in relation to the potential for alcohol related noise, violence and parking impacts on the immediate locality;
- The potential for impacts on the amenity of the occupants of the adjoining dwelling; and
- Reduced value of adjoining properties.

Of the 177 people recorded in attendance, the vast majority (taken by show of hands) were in support of the proposal, with approximately seven indicating they were opposed.

The Club supplied copies of a Community Information Package (refer Attachment 2) regarding their proposal which included:

- Newspaper clippings;
- Club Masterplan and schematic graphics;
- Record of the public meeting held by the Club on 24 May, 2015:
 - Support: 118; Against: 4;
- Letters of support from:
 - Point Wolstoncroft Sport and Recreation Centre;
 - The Lioness Club of Gwandalan; and
 - Revesby Workers Men's Bowling Club; and
- A Petition of Support containing 510 signatures.

(Note: The Petition and Meeting Record referred to above have been removed from Attachment 2 as they contained residents' addresses and Club Badge Numbers, and therefore may have raised privacy concerns).

The meeting concluded at 7.45pm.

CURRENT STATUS

Preliminary community consultation requested by Council's 22 April 2015 resolution has now been completed, with strong community support for the proposal identified. It is recommended that Council proceed to prepare a planning proposal to be forwarded to DP&E for gateway determination.

THE PROPOSAL

In order to achieve the intended outcome of tourist and visitor accommodation on the site, the proposal is to insert the following enabling clause into Schedule 1 – Additional Permitted Uses of WLEP 2013:

Use of Certain Land at 2 - 8 Aldinga Road, Gwandalan

1. *This clause applies to land identified as "Item 30" on the Additional Permitted Uses Map.*
2. *Development for the purposes of tourist and visitor accommodation is permitted with development consent if the development is associated with a registered club.*
3. *Nothing within this clause allows for use of the site as a Caravan Park.*

It is considered that the above draft Clause would appropriately define the proposed development and be consistent with existing clauses within WLEP 2013.

Development Definitions:

The "tourist and visitor accommodation" definition would permit the following uses:

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) **hotel or motel accommodation**,
- (e) serviced apartments,

but not include:

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

2.2 Supplementary Report - RZ/8/2014 - Proposed Planning Proposal for Land at Aldinga Road, Gwandalan (contd)

The intended development form (holiday villas) can be considered under this clause as - it is to be a building or place, is to be operated in association with the club, and meets the hotel or motel accommodation definition, which is:

'hotel or motel accommodation' means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that:

(a) comprises rooms or self-contained suites, and

(b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.'

CONCLUSION

Preliminary community consultation on the proposed additional land use permissibility of tourist and visitor accommodation has been conducted. It was evident at the community meeting that approximately 170 of 177 people in attendance support the proposal. Further the club has provided records of the meeting held by the Club on 24 May 2015 where 118 of 122 recorded their support, a petition of over 500 signatures, and the letters from other related organisations, which all demonstrate that the proposed development has strong local support.

It is recommended that Council proceed to prepare a planning proposal to insert an enabling clause addressing the proposed development on site, and forward the proposal to DP&E for gateway determination. Delegated Authority for Council's General Manager to make the plan will be sought.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Attachment 1 - Proposed Rezoning of Land at Gwandalan - Report to 22 April Council Meeting | D11913604 |
| 2 | Attachment 2 - Community Information Package - Gwandalan Bowling Club | D12003638 |

22 April 2015
To the Ordinary Council Meeting

Director's Report
Development and Building Department

3.4 RZ/8/2014 - Proposed Rezoning of Land at Gwandalan JM

TRIM REFERENCE: RZ/8/2014 - D11913604

MANAGER: Scott Cox, Director

AUTHOR: Peter Kavanagh; Senior Planner

SUMMARY

The Gwandalan Bowling Club has sought Council approval to rezoning land at 2-8 Aldinga Road, Gwandalan to allow for short and long term development of the site. The application was considered by Council at its meeting of 10 December 2014 and Council resolved to refer the matter to the February 2015 Employment Economic Development Committee (EEDC).

Following consideration of the matter by the EEDC, this report recommends the preparation of a Planning Proposal to amend the Wyong Local Environmental Plan (WLEP 2013) to insert an enabling provision within Schedule 1 - Additional Uses, to permit a form of "tourist and visitor accommodation" on the land.

It is considered that the proposed additional use provides an appropriate opportunity for the Gwandalan Bowling Club to seek additional revenue opportunities as well as providing tourist accommodation in Gwandalan.

This report recommends the preparation of a planning proposal to be forwarded to DP&E for gateway determination.

Applicant	Aconsult
Owners	Gwandalan Bowling Club
Proposal No	RZ/8/2014
Description of Land	Lots 1, 2, 3 & 4, Section 22, DP 28961, Nos. 2 – 8 Aldinga Road, Gwandalan
Zoning	R2 Low Density Residential
Proposal	Insert an enabling provision within Schedule 1-Additional Uses to permit a form of "tourist and visitor accommodation" on the land
Existing Use	Vacant

RECOMMENDATION

- 1 That Council prepare a planning proposal to amend the Wyong Local Environmental Plan (WLEP 2013) to insert an enabling provision within Schedule 1-Additional Uses, to permit a form of "tourist and visitor accommodation" on the land.
- 2 That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act, 1979.

- 3 That Council require, subject to the gateway determination, the proponent enter into a Funding Agreement with Council in accordance with Council's adopted Statement of Revenue Policy to recover the costs involved in further progressing the proposal.
- 4 That Council authorise the General Manager (or delegate) to sign the Funding Agreement.
- 5 That Council undertake agency and community consultation regarding the Planning Proposal in accordance with the gateway determination.

ORDINARY MEETING HELD 22 APRIL 2015

Councillor Best left the meeting at 6.16pm and returned at 6.19pm during consideration of this item.

It was MOVED on the motion of Councillor TAYLOR and seconded by Councillor GRAHAM:

- 1 ***That Council prepare a planning proposal to amend the Wyong Local Environmental Plan (WLEP 2013) to insert an enabling provision within Schedule 1-Additional Uses, to permit a form of "tourist and visitor accommodation" on the land.***
- 2 ***That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act, 1979.***
- 3 ***That Council require, subject to the gateway determination, the proponent enter into a Funding Agreement with Council in accordance with Council's adopted Statement of Revenue Policy to recover the costs involved in further progressing the proposal.***
- 4 ***That Council authorise the General Manager (or delegate) to sign the Funding Agreement.***
- 5 ***That Council undertake agency and community consultation regarding the Planning Proposal in accordance with the gateway determination.***

FOR: COUNCILLORS GRAHAM, GREENWALD AND TAYLOR

AGAINST: COUNCILLORS BEST, EATON, NAYNA, TROY AND WEBSTER

The MOTION was put to the vote and declared LOST.

MATTER ARISING

RESOLVED on the motion of Councillor BEST and seconded by Councillor WEBSTER:

375/15 *That Council defer this matter for full preliminary public consultation via a public meeting at Gwandalan. This meeting to be convened by Council, held at the Bowling Club (if possible) and be notified widely within the Gwandalan community.*

FOR: COUNCILLORS BEST, EATON, NAYNA, TROY AND WEBSTER

AGAINST: COUNCILLORS GRAHAM, GREENWALD AND TAYLOR

BACKGROUND

The applicant (Aconsult, on behalf of the Gwandalan Bowling Club) lodged an application to amend the WLEP 2013 to rezone No 2-8 Aldinga Road, Gwandalan from R2 Low Density Residential to R1 General Residential. The application sought to facilitate an interim use of the site for tourist accommodation cabins and the longer term use of the land for medium density residential development.

Council at its meeting held on 10 December, 2014 *resolved unanimously on the motion of Councillor Best and seconded by Councillor Troy:*

“1393/14 That Council temporarily defer to the next EEDC meeting to be held in February 2015 with a view in assisting the club in identifying the optimum use of the site and return on capital for the club in conjunction with the local community.”

The Employment and Economic Development Committee (EEDC) considered a report regarding the land, including an address by the Applicant, at its meeting of 4 February, 2015, and resolved:

“That the Committee note this matter is to be reviewed by the Development and Building and Property and Economic Development Departments, with advice from the Legal Department, with a view to addressing strategic issues on the site and preparation of a report to Council.”

The EEDC was concerned that a complete rezoning to R1 could potentially enable the development of land uses that may be incompatible with the location of the site and its surrounding land uses. The Committee resolved to refer that matter to appropriate staff to discuss.

Further options for the site

Staff from Property and Economic Development, Development and Building and General Counsel met to discuss options. The preferred option was to proceed with an LEP amendment to insert a clause into Schedule 1 to enable use of the site for “*tourist and visitor accommodation*”.

Staff conveyed this option to the applicant’s consultant’s Town Planner for their consideration. The applicant agreed to proceed with this option.

The Site

The site is currently zoned R2 Low Density Residential and is described as Lots 1 – 4, Section 22, DP 28961, Nos. 2 – 8 Aldinga Road, Gwandalan. The Lots are vacant with scattered trees, and have a combined area of approximately 3066 m².



Figure 1: The site indicated by red boundary and hatching on the aerial photograph

The land is situated to the south of the neighbourhood shopping centre and to the west of the Gwandalan Bowling Club, which is located within the foreshore reserve to Crangan Bay, Lake Macquarie (see Figure 2). The combined land parcels have frontage to three roads, Aldinga Road, Gamban Road and Winbin Crescent.



Figure 2: Site Context

The land is generally flat, with a gentle fall to Gamban Road. It is currently being partly utilised for informal car parking. There are no historic records of previous developments on any of the four lots.

The land is bounded on three sides by bitumen sealed road with table drains, with no kerb and gutter. There is formal piped drainage in Aldinga Road and Gamban Road. There is also an open channel in the adjoining properties to the south.

There are water and sewer mains within the three road frontages which will be able to service development on the site. Any future development of the site will require consideration of the sewer main traversing the site, as well as formalisation of the road frontage with kerb, gutter and pavement widening at the DA stage.

66 remnant mature trees exist on site, of which 31 comprise a mature Bottlebrush hedge. Generally the trees are of reasonable health. Several have a pronounced lean, or have a poor aesthetic, having been poorly pruned to avoid adjacent power lines, and the soil over the root systems has been compacted by the utilisation of the land as an informal carpark. The majority of the trees (49) have been identified as likely to be removed, with only 13 noted in the application as suitable for protection and preservation. There are no identified threatened or endangered flora or fauna species observed on site.

The locality to the west and south is generally characterised by low density housing (R2 Low Density Residential zone). On the opposite side of Aldinga Road (to the north) and fronting Gamban Road is a small shopping centre (B1 Neighbourhood Centre zone) containing 10 shops. Land immediately to the west (across a lane from the commercial area) and opposite the subject land, is zoned R1 General Residential. This zone extends to the north to the intersection of Winbin Crescent and Gamban Road (see Figure 3).

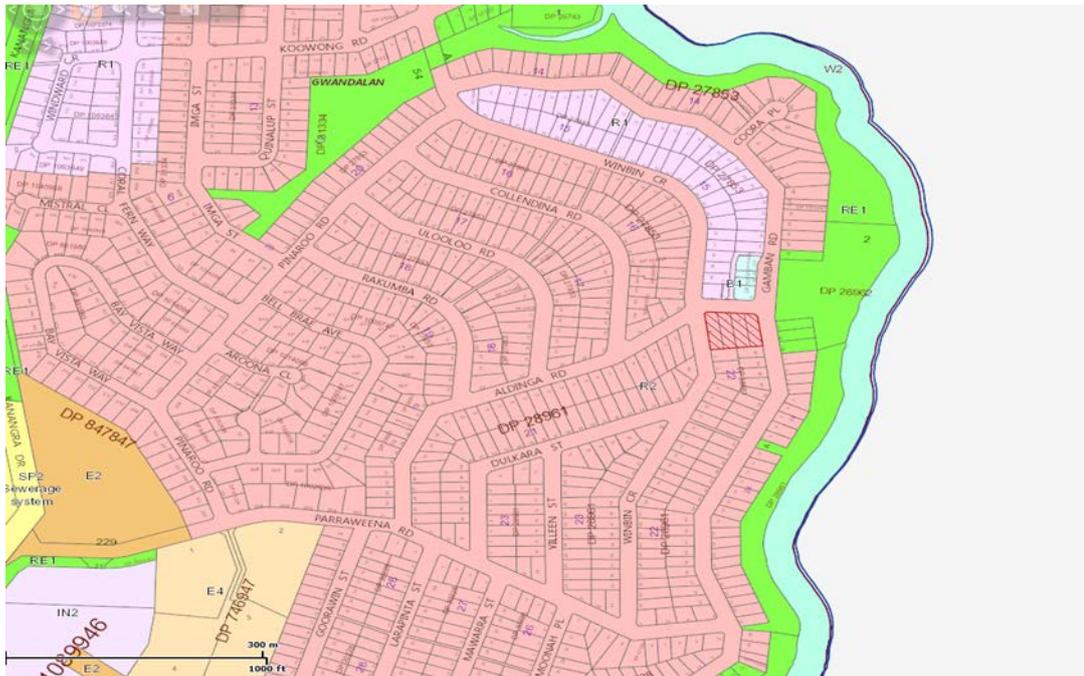


Figure 3: Land Zonings in the locality, with the subject land indicated by red boundary and hatching on the map.

THE PROPOSAL

The application identifies that there is currently no commercial tourist accommodation (e.g. hotel or motel) in Gwandalan and only six dwellings are currently advertised as providing short-term rental accommodation. The Gwandalan Bowling Club has therefore identified an opportunity to provide a new facility which provides holiday and tourist accommodation on this site creating new employment opportunities in close proximity to the surrounding services available within the suburb of Gwandalan.

The applicant has confirmed in writing that while the Club considers that there were merits in the original application for rezoning to R1 General Residential, it is the Club's intention to proceed with an application for an enabling clause which would make permissible the development of the site for tourist (cabin) purposes. The applicant proposes that this could be facilitated via an amendment to *Schedule 1 Additional Permitted Uses*, to insert permit an additional use "tourist and visitor accommodation" subject to development consent.

Within the WLEP the following definition applies:

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include:

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

The Applicant submits:

*“It never has been, and never will be, the Club’s intention to develop the site as a Caravan Park rather, we implore Council to consider our client’s intentions on the basis of a **more affordable form** of construction be included within the current Enabling Clause...This will enable our client to seek Council’s approval for Tourist and Visitor Accommodation with the form of construction being be suitably developed for the site by way of moveable/manufactured dwellings, commonly referred to as “cabins”.”*

As such, the Club intends to propose a tourist (cabin) development on the land. The definition above would only enable a development where the “cabins” are permanent structures (buildings). This is because *moveable dwellings* and *manufactured homes* are separately defined by the legislation as not being *buildings* and therefore prohibited under WLEP 2013.

The Applicant has therefore requested that the enabling clause also permit the “form” of construction for the *tourist and visitor accommodation* (likely to be a form of *hotel or motel accommodation*) to be the placement of moveable dwellings on the land, operated by the Club for that purpose.

CONSIDERATION

It is noted that each of the accommodation types allowed under the *tourist and visitor accommodation* definition are separately defined as “buildings”, which means they could not be relied upon for the development proposed. However:

hotel or motel accommodation means a building or place (whether or not licensed premises under the *Liquor Act 2007*) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests’ vehicles,

but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note. Hotel or motel accommodation is a type of ***tourist and visitor accommodation***—see the definition of that term in this Dictionary.

The inclusion of the words “a building or place” enables consideration of a cabin based tourist and visitor accommodation development under this definition.

The Schedule 1-additional use wording can therefore specifically reference the intended form of the development as follows:

8 Use of Certain Land at 2- 8 Aldinga Road, Gwandalan

- 1) This clause applies to land identified as “Item 30” on the Additional Permitted Uses Map.
- 2) Development for the purposes of tourist and visitor accommodation is permitted with development consent if the development is associated with a registered club.
- 3) Nothing within this clause allows for use of the site as a Caravan Park.

It is considered that the above draft Clause would adequately address the proposed development and be consistent with existing clauses in WLEP 2013.

STATUTORY COMPLIANCE - LOCAL PLANS POLICIES AND STRATEGIES

State Environmental Planning Policies (SEPP's)

The proposal has been assessed having regard for all SEPP's and has been found to be generally consistent with those Policies. Compliance with the SEPPs is addressed in Attachment 1.

Central Coast Regional Strategy

The Central Coast Regional Strategy (CCRS) was released by the Department of Planning (DoP) in July 2008. The CCRS identifies the population potential of the Central Coast expected by 2031, expected employment capacity targets and the likely phasing of release areas. The strategy also identifies actions and principles to ensure ongoing growth and prosperity of the region, including actions for centres and housing, economy and employment, environment and natural resources, natural hazards, water supply, regional infrastructure and regional transport.

The CCRS provides under the “Key Economic Opportunities for the Region”, that “the regions tourism advantages are also likely to increase”. The proposal could facilitate provision of accommodation for tourists attracted to the recreational opportunities provided in Gwandalan and the north of the Wyong LGA. As such the proposal will support job creation in the management and service industries and therefore is consistent with the key objectives of the Strategy.

North Wyong Shire Structure Plan (NWSSP)

The broad strategies within the CCRS were further developed and refined in the release of the North Wyong Shire Structure Plan (NWSSP) in October, 2012. The NWSSP seeks the provision of approximately 7,970 additional dwellings and 1360 jobs in the north of the Wyong LGA during the medium term years to 2027. The proposal is complimentary to this Plan.

Ministerial Directions under Section 117 of the Environmental Planning Assessment Act 1979 (EP&A Act)

Section 117 of the EP&A Act 1979 provides for the Minister for Planning to issue directions to Council specifying principles, aims, objectives or policies that must be considered when preparing a local environmental plan. The current 117 directions that apply to the preparation of an LEP associated with this Planning Proposal are addressed in Attachment 2. The proposal is generally consistent with the Section 117 directions.

OPTIONS

Options for the development of the land, including single residential, dual occupancy and medium density development were presented and discussed at the Employment and Economic Development Committee meeting of 4 February, 2015.

The current proposal, being a specific additional use provision is considered to be the most appropriate to meet the economic needs of the Club (and other small businesses) while minimizing impacts on the environment and the community.

STRATEGIC LINKS

Budget Impact

The Planning Proposal is privately funded. Phase 1 fees were paid at lodgement, for preliminary assessment and the preparation of a report, to gauge whether there is merit for Council to support the Proposal. Subject to any gateway determination, the proponent would be required to enter into a Funding Agreement with Council in accordance with Council's Statement of Revenue Policy to recover the costs involved in further progressing the proposal.

CONSULTATION

Government agency and public consultation requirements for the Planning Proposal will be established by the gateway determination, and will be conducted accordingly. It is likely that the gateway determination may require the following groups and agencies to be consulted:

- Darkinjung Local Aboriginal Land Council;
- Guringai Tribal Link;
- Mine Subsidence Board;
- NSW Trade and Investment - Minerals and Petroleum;
- NSW Office of Environment & Heritage; and
- NSW Roads and Maritime Services.

CONCLUSION

The site is a vacant urban in fill site with capacity to be fully serviced to facilitate urban development. The proposed land use of tourist accommodation is important to the economy of the region on a site with good access to shops and recreation facilities.

It is considered that the proposal has merit and is recommended to be forwarded to the DP&E for a gateway determination. Delegated Authority for Council's General Manager to make minor amendments and to make the plan will be sought.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | State Environment Planning Policy Assessment | D11877162 |
| 2 | S 117 Ministerial Direction Assessment RZ_8_2014 | D11877167 |

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GWANDALAN

Strong support for cabins plan

A MEETING of 140 people has resulted in a strong show of support for Gwandalan's first tourist accommodation facility.

The meeting at Gwandalan Bowling Club last Sunday voted overwhelmingly in favour of having land opposite the club rezoned by the council for cabin-style development.

The council also wants to gauge public opinion so has convened its own meeting at the club tonight at 7pm.



**GWANDALAN
BOWLING CLUB**

T 4976 1204 F 4976 2605 E ceo@gwandalanbowlingclub.com.au
Gamban Road, Gwandalan NSW 2259. PO Box 5010, Gwandalan NSW 2259

**Gwandalan Bowling Club Public Meeting
Held 24th May 2015, 10.00am**

Attendance: 130 people

Voting: Do you support the Rezoning of 2-8 Aldinga Road for the
Development of Tourist Accommodation? 123 people voted

YES : 118

NO 4

INFORMAL 1



GWANDALAN BOWLING CLUB

T 4976 1204 F 4976 2605 E ceo@gwandalanbowlingclub.com.au
Gamban Road, Gwandalan NSW 2259. PO Box 5010, Gwandalan NSW 2259

Gwandalan Bowling Club Masterplan

As you may or may not be aware the Club Industry is doing it tough throughout the state. Clubs that don't diversify will simply not exist in the coming years.

Your Board is being **very proactive** and looking at other ways to source alternative revenue streams, the days are gone where we can just rely on gaming and bar trade to survive. We feel there is a major short fall in short term accommodation within our immediate area and that tourism will assist our community and businesses to grow.

Better use of space needs to be looked at closely, and **if found to be viable**, should be supported by the members and considered priorities for the Clubs future.

The Club needs to gain full commercial value from its assets so it can deliver on its core values of promoting and supporting the sport of lawn bowls, it's Members and **the community**.

Below are the planning stages that we feel will secure the long term viability of Gwandalan Bowling Club.

These Plans include but are not limited to:

- Holiday Style Villa's (Vacant Land adjacent to Club)
- Cafe and Function Centre (Currently Fisho's Lodge)
- Jetty Extension with berthing pens
 - Pump Out Station
 - Power & Water

Should you have any questions regarding any of above please feel free to talk with myself or any of the Board of Directors.

Stage 1: Lakeview Holiday Villas

These villas are proposed for the site adjacent to Gwandalan Bowling Club on lots 2-8 Aldinga Road.

It is intended to build smart, contemporary short stay accommodation including dedicated disabled rooms.

The villas will be smart in appearance, fully landscaped with all the mod cons essential to make your stay in the Gwandalan community a pleasurable one.

Amenities will include, but not limited to:

- Full size kitchen
- Laundry facilities
- Separate shower and toilet
- King/Queen size beds
- Air-conditioning
- Flat screen televisions
- Deck area

Our holiday accommodation will be perfect for school holidays, Xmas holidays, family functions or a great weekend escape.





Please Note: That pictures are for illustration purposes only

Stage 2: Function Centre & Cafe

This development is proposed for the current Fisho's Lodge site. It will be designed to be a community asset, with a raft of multipurpose functions.

It will include, but not limited to:

- 50 seat café/coffee shop
- 110 seat function area
- Children's playground
- BBQ area

This area will provide the Club and the community the opportunity to hold:

- Functions, 21st, 50th, 60th etc
- Sportmans Lunches
- It will be a great place to have a coffee whilst the kids play
- Take in the magnificent views of Lake Macquarie whilst enjoy a coffee/lunch with friends and family.

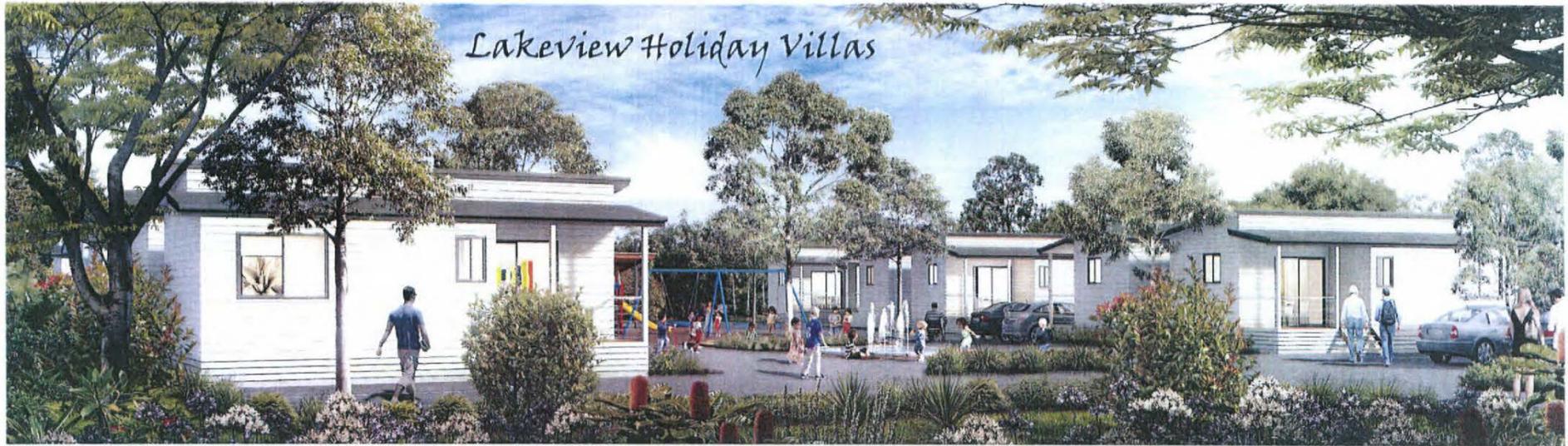


Please Note: That pictures are for illustration purposes only

Stage 3: Upgrade to Club's Jetty

It is proposed that the Club extend it's current jetty by 25 metres and include berthing pens, pumpout station, power and water.

This facility would allow larger boats to use Gwandalan as a destination, this would in turn would benefit the whole of the Gwandalan community by increased tourism and an increase in dollars spent within the community.



Club plans hit brick wall

Errol Smith

PLANS by Gwandalan Bowling Club to build tourist and visitor accommodation on-site remain in limbo after Wyong Council deferred a land rezoning application.

The club wants to develop the vacant land to boost tourism in the area and ensure the future viability of the club itself.

Chairman Col Wynn said the days of small clubs existing on liquor sales and poker machine revenue were over and they had to explore new options.

The land the club wants to develop is directly opposite the existing licensed premises and would provide a range of accommodation, including cabins for the disabled.

"We've been working with several organisations to get this project up and running and are disappointed we keep hitting brick walls," Mr Wynn said.

"It appears some in the council are not happy with the proposal we have put forward and believe the land can be put to better use.

"I've already canvassed



Gwandalan Bowling Club president Col Wynn and secretary manager Col Woods with plans for the club's expansion.

PROPOSAL TO BUILD ACCOMMODATION ON HOLD

the views of locals and we intend holding a public meeting very soon to get the matter sorted.

"We're very keen to push ahead as quickly as possible."

The council says it wants to see tourism accommodation in the Gwandalan area but it must be the right type of accommodation.

Mayor Doug Eaton said more tourists in the shire

were welcome and this accommodation proposal would help to put Gwandalan on the map.

"If we can bring the club and community together I am confident we can get the

best outcome for everyone involved," he said.

The council deferred the rezoning of the land at its last meeting and has indicated it will hold a public meeting of its own to allow the community to have a say.

No date has been set for either proposed meeting.

REVESBY WORKERS MENS BOWLING CLUB



REVESBY SITE

1 Spence St, Revesby, NSW, 2212
PO Box 132 Nth Revesby 2212
Ph 9773 6752 Fax 9774 3693
Email - rbcmen@rwc.org.au

PANANIA SITE

22 Homelea Ave Panania NSW 2213
PO Box 132 Nth Revesby 2212
Bowls Office: 9774 3572/9773 6480
Email - bowlers@rwc.org.au

President
Gwandalan Bowling Club

To Col,

On behalf of Revesby Workers Bowling I wish to thank you for the hospitality afforded to us with our recent visit to Gwandalan Bowling Club.

All 20 of the Revesby Workers bowlers enjoyed the facilities of the club and the competitive but friendly rivalry on the green.

I wish to thank you for your invitation to return for another weekend, however at this point. I wish to decline your offer. Due to the limited accommodation it makes it difficult for us. Although the accommodation at Raffertys was excellent it was approximately a 25km trip..

I believe that you have lodged an application to have cabins built in a close proximity of the bowling club. I can assure you if this goes ahead we would be more than willing to return and soak up more of your hospitality. Part of our trip is not only to play bowls, but to also financial assist the local business community such as newsagents, grocery stores, cafes, bakeries and other local small businesses. I am sure if you had the cabins it would help the local business people with increased trade and jobs.

Best wishes to all, hopefully those cabins will be built soon and we can return to enjoy the lovely Lake Macquarie.

Yours Sincerely

Ray Hopkins
President
Revesby Workers Club.



LIONESSE CLUB OF GWANDALAN

P0 Box 5026 Gwandalan 2259



President; Penny Carosi

Secretary; Jill Lotze

Treasurer; Suzanne Chalker

Tel; 0407717700
gwandalanlioness@gmail.com

Tel; 0408246083
jilllotze@gmail.com

Tel; 43593884
suz_chalker@westnet.com.au

15th May, 2015

The General Manager,
Wyang Shire Council
P.O. Box 20
WYONG NSW 2259
mailto:wsc@wyong.nsw.gov.au

Dear Sir

**Re: Gwandalan Bowling Club Development Application 2 – 8 Aldinga Road,
Gwandalan**

We are writing on behalf of members of the Gwandalan Lioness Club, many of whom are residents of Gwandalan and Summerland Point, and show our support for the above application by the Gwandalan Bowling Club. We feel this development will be an asset to the community and will fill a need for holiday accommodation by Lake Macquarie.

With the planned increase in population of Gwandalan and Summerland Point in the coming years, the area will need additional holiday rental accommodation to house the growing interest in the area and provide alternative accommodation for people staying at the Point Wolstoncroft Fitness Camp which often has an overflow of demand. The proposal by the Bowling Club would be a step towards achieving this goal.

Thank you for listening to our concerns.

Yours faithfully,
Lioness Club of Gwandalan

Lioness June Spencer
Assistant Secretary

15/05/2015

Point Wolstoncroft Sport & Recreation Centre

Kanangra Drive Gwandalan

NSW 2259

Att: Colin Woods
Chief Executive Officer
Gwandalan Bowling Club

Dear Colin,

Please accept this letter as Point Wolstoncroft Sport & Recreation Centres support for the proposed Gwandalan Bowling Club's developments and upgrades including;

- Lakeview Holiday Villas, opposite current main building
- Café & Function Centre
- Jetty extension with berthing stations

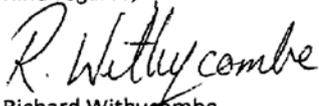
We view this development as a terrific asset to the local community that will assist in attracting more visitors to our region to participate in activities offered by the club and other organisations.

Point Wolstoncroft Centre conducts school programs during the annual 40 weeks of Term time and offers our accommodation facilities on weekends and school holidays to community groups, sports, families and other appropriate groups. We are heavily booked through most times of the year and are constantly asked by prospective clients looking for accommodation if options are available in our community, only to be disappointed.

We would relish the opportunity of encouraging potential bookings to our community, that we cannot accommodate, to seek availability for accommodation via the Gwandalan Bowling Club.

Please don't hesitate to contact me if we can assist in any way to ensure this exciting development for our community becomes a reality.

Kind regards,


Richard Withycombe
Centre Manager

Point Wolstoncroft Sport & Recreation Centre

3.1 Classification of Land, Lot 45 DP 1207188 at Johns Road, Wadalba

TRIM REFERENCE: F2015/00570 - D11993517

MANAGER: Mike Dowling, Director

AUTHOR: Julie Tattersall; Property Officer

SUMMARY

Authority is sought to classify Lot 45 DP 1207188 at Johns Road, Wadalba as Operational Land.

RECOMMENDATION

- 1 That Council adopt the classification of Lot 45 DP 1207188 at Johns Road, Wadalba as Operational Land.**
- 2 That Council note that:**
 - a Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).**
 - b Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.**

BACKGROUND

Vexhart Pty Ltd was required to make provision for a drainage reserve as part of its development of 47 residential lots from the subdivision of Lot 432 DP 1080786 at Johns Road, Wadalba. Lot 45 has been dedicated to Council pursuant to a condition of development consent under Stage 2 of DA/455/2007/E as drainage reserve.

Lot 45 is zoned R2 Low Density Residential and has an area of approximately 1669 square meters.

Under Section 34 of the Local Government Act 1993, Council is required to give public notice of the proposal to classify land for a period of 28 days before confirming classification. If no adverse submission is received Council may resolve to adopt the classification.

Public Notice was given on 5 June 2015 of the proposal to classify the land as operational land and no submissions were received.

THE PROPOSAL

It is proposed to classify Lot 45 DP 1207188 as Operational Land.

In accordance with the Public Land Classification Table adopted by Council at its meeting held on 14 August 1996, land owned by Council for drainage should be classified as Operational Land. In addition, the Policy for Property Transactions – Sales and Acquisitions, adopted 14 May 2014, provides that all future land purchases by Council should generally be designated as operational land irrespective of the intended or existing use. This is to maximise flexibility in the management and use of Council's property portfolio and improve community and service delivery outcomes.

The proposed resolution to classify Lot 45 DP 1207188 as Operational land will not authorize this land to be used for any purpose that is inconsistent with the purposes for which these lands were dedicated to Council, namely a drainage reserve.

OPTIONS

Council may resolve to apply either a "community land" or an "operational land" classification. As Lot 45 is drainage land, the land should be classified as Operational Land in accordance with the Public Land Classification Table adopted by Council.

Budget Impact

There is no cost to Council to classify the land.

GOVERNANCE AND POLICY IMPLICATIONS

Under Section 31 of the Local Government Act 1993, land acquired by Council is taken to be classified as Community Land unless Council resolves that the particular land concerned be classified as Operational Land.

3.1 Classification of Land, Lot 45 DP 1207188 at Johns Road, Wadalba (contd)



CONCLUSION

Lot 45 has been dedicated to Council and requires classification under the Local Government Act 1993 (Chapter 6, Part 2, s.25-34). In this instance, Operational Classification is proposed on the basis of the use of the land for drainage in accordance with Council policy.

ATTACHMENTS

Nil.

4.1 CPA/249734 - Removal of Underground Petroleum Storage Systems (UPSS) and Site Remediation at Wyong Council's Charmhaven and Long Jetty Depots

TRIM REFERENCE: CPA/249734 - D11983477

MANAGER: Mike Dowling, Director

AUTHOR: Martin Drake; Project Manager

SUMMARY

Evaluation and selection of tenders for Contract CPA/249734 - Removal of Underground Petroleum Storage Systems (UPSS) and Site Remediation at Wyong Council's Charmhaven and Long Jetty Depots.

"Councillors are reminded that the name of the successful tenderer will be released after resolution of this item. This means that the contents of Attachment A cannot be disclosed during discussion in the open session of the Council meeting."

RECOMMENDATION

- 1 That Council accept the tender from the company nominated as Tenderer No.1 in the attached Tender Evaluation Report, for the estimated total amount of \$481,818.19 (excl GST) for Contract CPA/249734 – Removal of Underground Petroleum Storage Systems (UPSS) and Site Remediation at Wyong Council's Charmhaven and Long Jetty Depots.**
- 2 That Council determine the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.**
- 3 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.**

BACKGROUND

Council proposes to decommission and remove its aging underground petroleum storage system (UPSS) facilities from its Charmhaven and Long Jetty Depots, and carry out any necessary site remediation and restoration works.

A business case analysis was prepared by Council's Business Analyst in November 2013 following discovery of a fuel leak in one of the underground tanks at Charmhaven Depot. It was noted that most of Council's underground fuel tanks are nearing the end of their useful service lives. The business case considered three (3) potential options:

4.1 CPA/249734 - Removal of Underground Petroleum Storage Systems (UPSS) and Site Remediation at Wyong Council's Charmhaven and Long Jetty Depots (contd)

- i) removing the existing UPSS and issuing staff with FleetCards (there are three underground fuel tanks at Charmhaven Depot (27,400L diesel; 16,450L diesel and 16,450L ULP), and two underground fuel tanks at Long Jetty Depot (21,000L diesel and 9,300L ULP) - The works would also include removal of all fuel pipelines and bowsers, site remediation and restoration);
- ii) replacing the UPSS and continuing to store and supply fuel from the depots;
- iii) removing the UPSS and replacing with aboveground fuel tanks.

The business case findings were that the first option of removing the UPSS from both depots and issuing staff with FleetCards would be financially beneficial to Council in the medium (10years) to longer term (20 years). The total saving to council on present operation and circumstance over a ten year term was estimated at \$2.647m or \$264.7k per year (in 2013 dollars). The permanent removal of the UPSS's from Council's Depots would also eliminate inherent environmental risks and stringent WorkCover and EPA monitoring and reporting obligations associated with maintaining and operating UPSS's.

NSW State Emergency Management Committee was also consulted about Council's proposal to decommission the UPSS from both depots, because during the 2007 storms, Charmhaven Depot was one of the only places fuel could be obtained by emergency vehicles. State Emergency Management responded advising it had no objection to Council's proposal, and confirmed it had other fuel providers should such an emergency situation arise again.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Property and Economic Development Department, before the Request for Tender was issued. The approved Contract Plan is in TRIM D11765444.

Due to the geographical separation of the two depots and different funding sources, this UPSS decommissioning, removal and remediation contract shall be structured as two (2) Separable Portions. Charmhaven Depot UPSS works will be Separable Portion 1, and Long Jetty Depot UPSS works will be Separable Portion 2.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald and eTender on 28 April 2015, and Central Coast Express Advocate on 29 April 2015.

The invitation documents called for combined schedule of rates and lump sum tenders, based on a detailed specification.

A compulsory pre-tender meeting was held at both the Long Jetty and Charmhaven Depots on 7 May 2015 to allow tenderers to become familiar with site conditions.

Tenders closed at Council's Chambers at 2.00pm on 28 May 2015.

4.1 CPA/249734 - Removal of Underground Petroleum Storage Systems (UPSS) and Site Remediation at Wyong Council's Charmhaven and Long Jetty Depots (contd)

TENDER SUBMISSIONS

The following tenders were received and are listed in alphabetical order:

- EESI Contracting Pty Ltd
- Getex Pty Ltd
- Hi Quality Civil & Environmental Services Pty Ltd
- Perich Constructions (NSW) Pty Ltd
- Shamrock Civil Engineering Pty Ltd
- Transpacific Industries Pty Ltd

No late submissions were received.

TENDER EVALUATION

All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.

The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Report – Attachment A.

All submissions were assessed in accordance with the approved evaluation criteria being:

- Compliance with Tender documents, including lodgment of tender by specified time.
- Evidence of corporate systems to effectively manage environmental, quality and safety risk (ideally third party certified).
- Contractor to be suitably qualified and have recent previous experience working with UPSS and land remediation.
- Local Content
- Works program which demonstrates the Contractors understanding of the required UPSS works and site remediation, and which demonstrates Contractor's capacity to complete the works as required under the Contract.
- Demonstrated recent performance in delivering UPSS and site remediation projects of a similar nature and scale.
- Tendered price and structure; as well as any other potential costs to Council that may be identified

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's Remediation Fund

RELEVANT LEGISLATION

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy.

4.1 CPA/249734 - Removal of Underground Petroleum Storage Systems (UPSS) and Site Remediation at Wyong Council's Charmhaven and Long Jetty Depots (contd)

Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the *Local Government Act 1993*. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

CRITICAL DATES / TIME FRAMES

It is anticipated that the contract will be awarded after the 22 July 2015 Council Meeting and that the works would be completed within 12 weeks of award.

RISK

This contract has been assessed as a high risk contract. The key risks and mitigations measures have been addressed in the Contract Plan which is located in TRIM file D11765444.

REGULATORY APPROVALS

The following regulatory approvals have been obtained for this Contract:

- Part 5 of the EP&A Act 1979

PROCESS REVIEW

The Tender evaluation and this Report and recommendations have been endorsed in TRIM by the Commercial Manager, Contracts and Project Management.

OPTIONS / ALTERNATIVES

Council has the option of not proceeding with this contract by resolving not to accept an offer from any of the Tendering parties. This option is not recommended.

PUBLIC CONSULTATION

No public consultation specific to this contract was necessary and none has occurred. However, as a courtesy, neighbouring properties will be notified of the work prior to commencement.

ATTACHMENTS

- 1 Confidential Attachment - Tender Evaluation Report - CPA/24974 - UPSS Removal from Depots - D11999258

5.1 Audit of Best Practice Management Guidelines for Water Supply and Sewerage

TRIM REFERENCE: F2004/11324 - D11985182

MANAGER: Greg Cashin, Commercial Manager Water and Sewerage

AUTHOR: Ian Johnson; Regulatory Services Engineer

SUMMARY

Results of an audit on Council's compliance with the NSW Office of Water (NOW) "Best Practice Management of Water Supply and Sewerage Services" Guidelines for the year ending 30 June 2014.

RECOMMENDATION

That Council receive the report on Audit of Best Practice Management Guidelines for Water Supply and Sewerage.

BACKGROUND

NSW Office of Water (NOW) promotes "Best Practice Management Guidelines for the Management of Water Supply and Sewerage Services" and requires NSW Local Government water utilities to comply with these Guidelines.

In response to the NOW Guidelines, Council has developed a Water and Sewerage Strategic Business Plan (SBP) to address the requirements of the Guidelines. The SBP covers the following key areas:

- 1 Operating environment review;
- 2 Total Asset Management Plan - operation, maintenance, and capital works;
- 3 Key performance indicators including reporting to NOW;
- 4 Customer service plan;
- 5 Levels of service;
- 6 Workforce plan.

To ensure compliance with the "Best Practice" Guidelines Council recently engaged the NSW Department of Public Works to undertake an audit.

Enclosed is the auditor's report on "Audit of Compliance of Best Practice Management of Water Supply and Sewerage Services"

As part of the audit, the auditor has reviewed Council's SBP and other associated documents such as financial plans, asset management plans, drought management and demand management plans. The auditor found that Council has demonstrated substantial compliance with Best Practice Management Guidelines for water supply and sewerage services in line with the NOW Guidelines for the year ended 30 June 2014.

5.1 Audit of Best Practice Management Guidelines for Water Supply and Sewerage (contd)

“Substantial Compliance” means that a level of compliance with the Guidelines such that any identified deficiencies do not detract from the general intent of the Guidelines to achieve Best Practice Management for water supply and / or sewerage services.

The auditor’s findings indicate that Council continues to achieve best practice management of its water supply and sewerage services, in line with the Guidelines issued by NOW.

ATTACHMENTS

- 1 Wyong Best Practice Audit Report-2013-14_Final D11981360



Wyong Shire Council
Report on Audit of Best Practice Management of
Water Supply and Sewerage Services in 2013/14

June 2015

Wyong Shire Council

Report on Audit of Best Practice Management of Water Supply and Sewerage Services in 2013/14

Cover photo courtesy: Wyong Shire Council

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Wyong Shire Council – Best Practice Management Audit Report

Introduction

NSW Public Works were engaged by the Wyong Shire Council to audit the Council's water supply and sewerage services for compliance with the NOW Best Practice Management Guidelines, May 2007 (the Guidelines) for the year 2013/14.

The audit involved off-site collection, collation and review of documentary evidences for relevant criteria and checklists as set forth in column (3) of Table 1 of the Guidelines.

This report outlines the scope of the audit, and records the audit findings and conclusions regarding the compliance of Wyong Shire Council (WSC) with the Guidelines for water supply and sewerage services in the reporting year 2013/14.

Reports of compliance are presented from the next page onwards.

Wyong Shire Council – Best Practice Management Audit Report

Report of Compliance - Water Services

Scope

We have performed the agreed procedures in accordance with our proposal for engagement by Wyong Shire Council and described below with respect to the compliance of the Council's water supply and sewerage services with *Best-Practice Management Guidelines* for the year ended 30 June 2014 based on relevant criteria as set forth in column (3) of Table 1 of the *Best-Practice Management of Water Supply and Sewerage Guidelines, NSW Office of Water (NOW), August 2007*. Our engagement was generally undertaken in accordance with Australian Auditing Standards applicable to agreed-upon procedures of engagements.

The responsibility for determining the adequacy or otherwise of the procedures agreed to be performed is that of Council and the NSW Office of Water. The procedures were performed solely to assist Wyong Shire Council and NOW in evaluating the validity of the compliance requirements and are summarised as follows:

1. We reviewed the current Strategic Business Plan (31 May 2015) to ensure that it included an:
 - Operating environment review;
 - Total asset management plan - operation, maintenance, capital works;
 - Key performance indicators;
 - Customer service plan;
 - Levels of service;
 - Work force plan.
2. We reviewed the financial plan as contained within the SBP to ensure that it covered a period of at least 20 years and it reports the lowest required stable typical residential bill (TRB).
3. We have not reviewed full cost recovery and the projected total annual income to ensure it was consistent with the above financial plan as IPART administers Council's pricing/ revenue policy.

Wyong Shire Council – Best Practice Management Audit Report

4. We have not reviewed water supply tariffs to confirm they complied with the outcomes listed in column (3) of Table 1 of the Best-Practice Management Guidelines as IPART administers Council's pricing policy.
5. We have not reviewed the commercial developer charges to confirm the existence of a Development Servicing Plan with commercial developer charges as IPART administers Council's developer charges and the development servicing plans.
6. We reviewed the Demand Management Plan to confirm that it included the outcomes listed in column (3) of Table 1.
7. We reviewed the Drought Management Plan to confirm that it included the outcomes listed in column (3) of Table 1.
8. We checked documentary evidences to ensure the performance reporting forms were completed and lodged to NOW by 30 September 2014 and the latest NOW review (2-page TBL Report) reported back to Council.
9. We checked for completion and implementation of IWCM Strategy following substantial commencement of sound Integrated Water Cycle Management.

Findings

We report as follows:

1. With respect to 1 above, we found the Strategic Business Plan is substantially compliant with outcomes listed in column (3) of Table 1 of the Best-Practice Management Guidelines.
2. With respect to 2 above, we found that the financial plan was for 20 years. Wyong Shire Council has reported the average residential bill using their 'in-house' spread sheet financial model, which is accepted by IPART for their pricing determinations.
3. Council is exempt with respect to 3 above.
4. Council is exempt with respect to 4 above.
5. Council is exempt with respect to 5 above.
6. With respect to 6 above, we found that the Council has reviewed the water supply demand forecasts as part of the review of Central Coast Water Supply Demands in

Wyong Shire Council – Best Practice Management Audit Report

May 2015. Council reported that the revised demand forecasts will be adopted in the review and update of Water Plan 2050 (August 2007) in accordance with the latest IWCM checklist requirements for demand management strategies to achieve the outcomes listed in column (3) of Table 1.

7. With respect to 7 above we found that Drought Management Plan (reviewed in August 2007 as part of Water Plan 2050) considered the outcomes listed in column (3) of Table 1. Council has developed and adopted revised water restriction triggers following the removal of water restrictions in May 2012. Council reported that the drought management plan will be reviewed in conjunction with the review and update of Water Plan 2050 in accordance with the latest Best Practice Management checklist requirements.
8. With respect to 8 above we found that Council completed the performance reporting forms for 2013/14 in the NOW Performance Monitoring Database on 30 September 2014. Council adopted the action plans following the review of NOW 2-page TBL Reports for 2012/13 in the ordinary Council meeting held on 25 June 2014.
9. With respect to 9 above we found that IWCM methodology considered the outcomes listed in column (3) of Table 1 with Council adopting an IWCM Strategy Plan (Water Plan 2050) in August 2007. Council reported that due to the linkage between the Central Coast and Hunter Water Corporation water supply systems, and the need to align the water supply planning activities with the Metropolitan Water Directorate/ Hunter Water Corporation, a complete IWCM in accordance with the latest IWCM checklist is expected to be completed not before 2019. We found that Council has been undertaking a range of activities including development of system models to enable evaluation of inter-regional options and re-assessment of long-term demand projections as part of the process aligning water supply and sewerage planning activities.

Conclusion

Based on findings of our audit we conclude that Wyong Shire Council has demonstrated **substantial compliance with Best Practice Management of Water Supply Services** in line with the NOW Guidelines as applicable for year ended 30th June 2014.

Wyong Shire Council – Best Practice Management Audit Report

Definition

We have adopted the following definition for this engagement:

“Substantial Compliance” means the level of compliance with the Guidelines such that any identified deficiencies do not detract from the general intent of the Guidelines to achieve Best Practice Management for Water Supply and/or Sewerage Services.

What constitutes substantial compliance is also a function of at what point in time the issue is examined. Therefore the best practice management adopted must take into account likely future scenarios and apply the current body of industry knowledge in regard to best practice.

Disclaimer

Our report is solely for the purpose set forth in the first paragraph of this report and for the information of Wyong Shire Council and the NSW Office of Water and is not to be used for any other purpose or distributed to any other party. This report relates only to the items specified above and does not extend to any financial report of the Council taken as a whole.

Signed:

Date: 18 June 2015



M. Sundaravadivel
Senior Engineer, Strategic Water Planning
NSW Public Works
Level 14W, McKell Building
2-24 Rawson Place
Sydney NSW 2000

Wyong Shire Council – Best Practice Management Audit Report

Report of Compliance - Sewerage Services

Scope

We have performed the agreed procedures in accordance with our proposal for engagement by Wyong Shire Council and described below with respect to the compliance of the Council's water supply and sewerage services with *Best-Practice Management Guidelines* for the year ended 30 June 2014 based on relevant criteria as set forth in column (3) of Table 1 of the *Best-Practice Management of Water Supply and Sewerage Guidelines, NSW Office of Water (NOW), August 2007*. Our engagement was generally undertaken in accordance with Australian Auditing Standards applicable to agreed-upon procedures of engagements.

The responsibility for determining the adequacy or otherwise of the procedures agreed to be performed is that of Council and the NSW Office of Water. The procedures were performed solely to assist Wyong Shire Council and NOW in evaluating the validity of the compliance requirements and are summarised as follows:

1. We reviewed the current Strategic Business Plan (31 May 2015) to ensure that it included an:
 - Operating environment review;
 - Total asset management plan - operation, maintenance, capital works;
 - Key performance indicators;
 - Customer service plan;
 - Levels of service;
 - Workforce plan.
2. We reviewed the financial plan as contained within the SBP to ensure that it covered a period of at least 20 years and it reports the lowest required stable typical residential bill (TRB).
3. We have not reviewed full cost recovery and the projected total annual income to ensure it was consistent with the above financial plan as IPART administers Council's pricing/ revenue policy.
4. We have not reviewed sewerage tariffs to confirm they complied with the outcomes listed in column (3) of Table 1 of the *Best-Practice Management Guidelines* as IPART administers Council's pricing policy.

Wyong Shire Council – Best Practice Management Audit Report

5. We have not reviewed the commercial developer charges to confirm the existence of a Development Servicing Plan with commercial developer charges as IPART administers Council's developer charges and the development servicing plans.
6. We checked documentary evidences to ensure the performance reporting forms were completed and lodged to NOW by 30 September 2014 and the latest NOW review (2-page TBL Report) reported back to Council.
7. We checked for completion and implementation of IWCM Strategy following substantial commencement of sound Integrated Water Cycle Management.

Findings

We report as follows:

1. With respect to 1 above we found the Strategic Business Plan is substantially compliant with outcomes listed in column (3) of Table 1 of the Best-Practice Management Guidelines.
2. With respect to 2 above we found that the financial plan was for 20 years. Wyong Shire Council has reported the average residential bill using their 'in-house' spreadsheet financial model, which is accepted by IPART for their pricing determinations.
3. Council is exempt with respect to 3 above.
4. Council is exempt with respect to 4 above.
5. Council is exempt with respect to 5 above.
6. With respect to 6 above we found that Council completed the performance reporting forms for 2013/14 in the NOW Performance Monitoring Database on 30 September 2014. Council adopted the action plans following the review of NOW 2-page TBL Reports for 2012/13 in the ordinary Council meeting held on 25 June 2014.
7. With respect to 7 above we found that IWCM methodology considered the outcomes listed in column (3) of Table 1 with Council adopting an IWCM Strategy Plan (Water Plan 2050) in August 2007. Council reported that due to the linkage between the Central Coast and Hunter Water Corporation water supply systems, and the need to align the water supply planning activities with the Metropolitan Water Directorate/ Hunter Water Corporation, a complete IWCM in accordance with the latest IWCM checklist is expected to be completed not before 2019. We found that Council has been undertaking a range of activities including

Wyong Shire Council – Best Practice Management Audit Report

development of sewerage system models, 30-year development servicing plans for sewerage schemes and re-assessment of long-term sewerage service demand as part of the process aligning the water supply and sewerage planning activities.

Conclusion

Based on findings of our audit we conclude that Wyong Shire Council has demonstrated **substantial compliance with Best Practice Management of Sewerage Services** in line with the NOW Guidelines as applicable for year ended 30th June 2014.

Definition

We have adopted the following definition for this engagement:

“Substantial Compliance” means the level of compliance with the Guidelines such that any identified deficiencies do not detract from the general intent of the Guidelines to achieve Best Practice Management for Water Supply and/or Sewerage Services.

What constitutes substantial compliance is also a function of at what point in time the issue is examined. Therefore the best practice management adopted must take into account likely future scenarios and apply the current body of industry knowledge in regard to best practice.

Disclaimer

Our report is solely for the purpose set forth in the first paragraph of this report and for the information of Wyong Shire Council and the NSW Office of Water and is not to be used for any other purpose or distributed to any other party. This report relates only to the items specified above and does not extend to any financial report of the Council taken as a whole.

Signed:

Date: 18 June 2015



M. Sundaravadivel
Senior Engineer, Strategic Water Planning
NSW Public Works
Level 14W, McKell Building
2-24 Rawson Place
Sydney NSW 2000

5.2 Investment Report for June 2015

TRIM REFERENCE: F2004/06604 - D11996780
MANAGER: Stephen Naven, Chief Financial Officer
AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 30 June 2015.

RECOMMENDATION

That Council receive the Investment Report for June 2015.

BACKGROUND

WSC's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2005), Council's Investment Policy, Ministerial Investment Order issued February 2011 and Division of Local Government Investment Policy Guidelines published in May 2010.

CURRENT STATUS

Cash and Term Deposit Funds

Cash flows in June were managed through term deposit maturities, with a net outflow of \$3,325k for the month of June and \$6,773 for the June quarter. A high level of cash was held to manage expected year-end expenditure.

Table 1 - Movement in Cash and Term deposits

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption) \$'000
Movement in Term Deposits				
ANZ	9.0	3.72%	Jun 2015	(\$4,000)
NAB	9.5	3.59%	Jun 2015	(\$5,000)
Total Term Deposit Movement				(\$9,000)
Movement in cash at call				
AMP		2.55%		-
Westpac		2.10%		\$5,600
ANZ		2.00%		-
Interest earned on all call accounts				\$75
Total Cash at Call Movement				\$5,675
Total Cash & Term Deposit Movement				\$3,325

Total Portfolio

Total net return in interest earnings for June 2015 was \$437k and \$1,329k for the quarter.

Table 2 - Net Return

	Full Year 2013-14 \$'000	Q1 2014-15 \$'000	Q2 2014-15 \$'000	Q3 2014-15 \$'000	Q4 2014-15 \$'000	Financial year 2014-15 \$'000
Net Capital Gain/(Loss) Realised	(197)	-	-	-	-	-
Income Distribution on Managed Funds	321	-	-	-	25	25
Net Earnings From Managed Funds *	124	-	-	-	25	25
Interest Earnings on Call Deposits Received	402	113	110	86	122	431
Interest Earnings on Term Deposits received at Maturity	5,999	1,311	1,364	1,306	1,208	5,189
Total Interest Earnings	6,401	1,424	1,474	1,392	1,330	5,620
Total return for the period	6,525	1,424	1,474	1,392	1,355	5,645

* Until October 2013, Council's portfolio included investments in managed funds (Blackrock Care and Maintenance Fund) held under the "grandfather" provisions of the current Ministers Order. A further distribution made in 2013 was deposited with ASIC and received in April 2015

Financial Year to Date (YTD) returns to June of 3.78% (3.76% excluding the Managed Fund Distribution) is favourable compared to benchmark bank bill swap (BBSW) *financial year to date* Bank Bill Index of 2.74% and Council guidelines of BBSW + 10 basis points.

Table 3 - Investment Returns

Investment Class	June 2015 Portfolio \$ '000	Financial Year Return \$ '000	Financial Year Return %
Cash at Call	34,374	431	2.41
Term Deposits	114,000	5,189	3.95
Managed Fund	-	25	-
Total Investments	148,374	5,645	3.78

5.2 Investment Report for June 2015 (contd)

Council investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB long term or above) and time horizon of the investment concerned. The investment strategy includes rolling maturity dates to ensure that Council has sufficient funds at all times to meet its obligations. A summary of the Term Deposit maturities are listed in Table 4 below.

Table 4 - Term Deposits Maturities

Time Horizon	Maturity on or before	Value \$ '000
At Call	Immediate	34,374
Term Deposits		
0 - 3 months	Sep 2015	28,000
4 - 6 months	Dec 2015	35,000
7 - 12 months	Jun 2016	26,000
1 - 2 years	Jun 2017	15,000
2 - 3 years	Jun 2018	5,000
3 - 4 years	Jun 2019	5,000
Total Term Deposits		114,000
Total Portfolio		148,374

The target maximum allocation limit in each investment risk category and the current spread of investments is listed in Table 5.

The portfolio is still overweight in A1 reflecting where the best returns are. Weightings for all categories remain within policy guidelines.

Table 5 - Portfolio Credit Framework

Investment Category Short Term	Target Maximum Allocation	Portfolio Allocation May 2015
A1	10.0%	72.37%
A2	75.0%	24.26%
A3	10.0%	2.70%
Unrated	15.0%	0.67%
TOTAL		100.00%

Portfolio Movements

The decrease in the value of the portfolio for June 2015 was \$3,325k and \$6,773k for the June quarter. The portfolio increased in value by \$2,980k for the year. Movements are shown in Table 6.

Table 6 – Portfolio Movements to 31 May 2015

	Full Year 2013-14 \$'000	Q1 2014-15 \$'000	Q2 2014-15 \$'000	Q3 2014-15 \$'000	Q4 2014-2015 \$'000	Financial Year 2014-15 \$'000
Movement in Assets						
Opening Balance	154,992	145,394	154,597	151,456	155,147	145,394
Net movement in Managed fund to Liquidation in Oct'13	(4,688)	-	-	-	-	-
Net Cash/Investments (Withdrawals)	(4,910)	9,203	(3,141)	3,691	(6,773)	2,980
Closing Balance	145,394	154,597	151,456	155,147	148,374	148,374

Portfolio Interest and Investment Returns compared to budget

Year to date returns as at 30 June 2015 on Council's investment portfolio of deposit accounts and term deposits, show a \$96k or 1.73% favourable variance when compared to the revised budget.

Table 7 - Annual Investment Portfolio Performance as at 31 May 2015

Investment Source	Financial Year Actual Interest Income \$ '000	Financial Year Revised Budget \$ '000	Financial Year Variance to Budget \$ '000
	A	B	C=A-B
General	3,406	3,412	(6)
Water	744	626	118
Sewerage	1,495	1,511	(16)
Total	5,645	5,549	96

Interest rates in the month, ranged from 3.08% to 5.20% (with the exception of deposit with Heritage Bank at 7.25%), all of which exceeded the annualised *monthly* Bank Bill Swap Rate (BBSW) benchmark of 2.08%. Interest returns are expected to fall further with the Reserve Bank reducing the cash rate to 2.00% in early May 2015.

Comparison to Neighbouring Councils

Portfolio Valuation

WSC's investment portfolio reflects our strong cash position, which is comparable with neighbouring Councils. Balances are summarised in table 9 below. Graph 1 shows the monthly portfolio balances over a twelve month period for all three Councils.

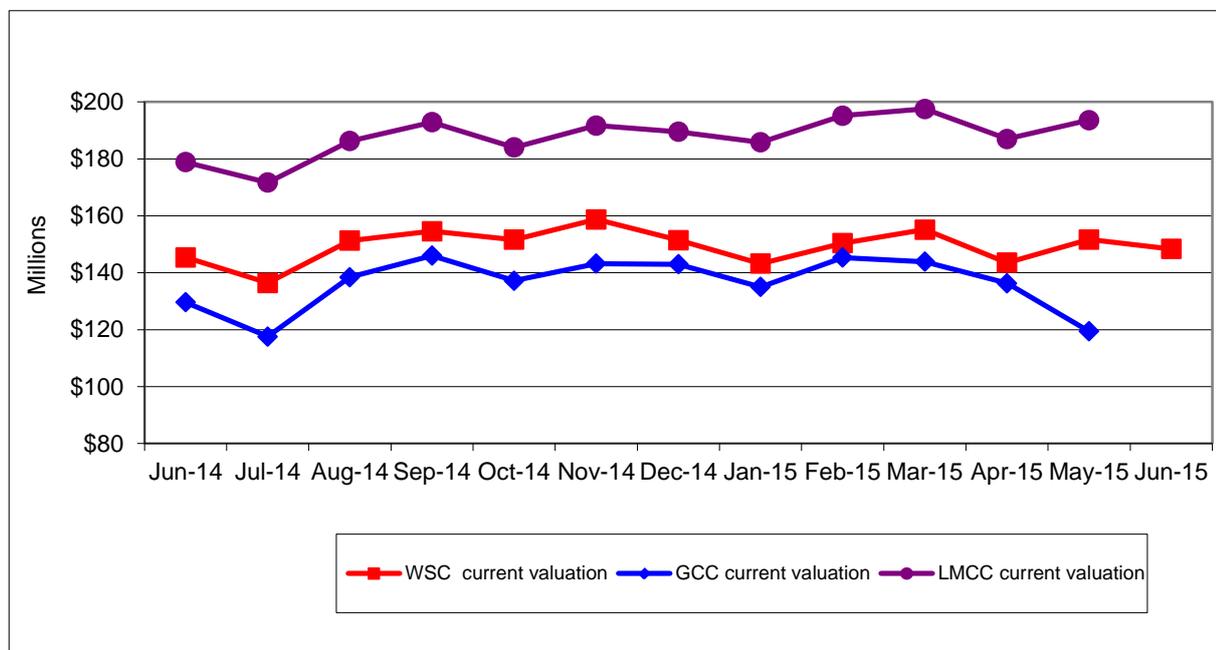
5.2 Investment Report for June 2015 (contd)

There is a lag in the information available for neighbouring Councils and reports for June were not available at the time of writing this report.

Table 8 – Summary of Investment Portfolio Balances

Month / Council	Wyong Shire Council \$'000	Gosford City Council \$'000	Lake Macquarie Council \$'000
Dec 2014	\$151,456	\$142,992	\$189,543
Jan 2015	\$143,210	\$135,009	\$185,850
Feb 2015	\$150,398	\$145,317	\$195,167
Mar 2015	\$155,147	\$143,904	\$197,531
Apr 2015	\$143,519	\$136,326	\$186,993
May 2015	\$151,698	\$119,426	\$193,612
Jun 2015	\$148,374	Not available	Not available

Graph 1 – Portfolio Valuations – Comparison to Neighbouring Councils



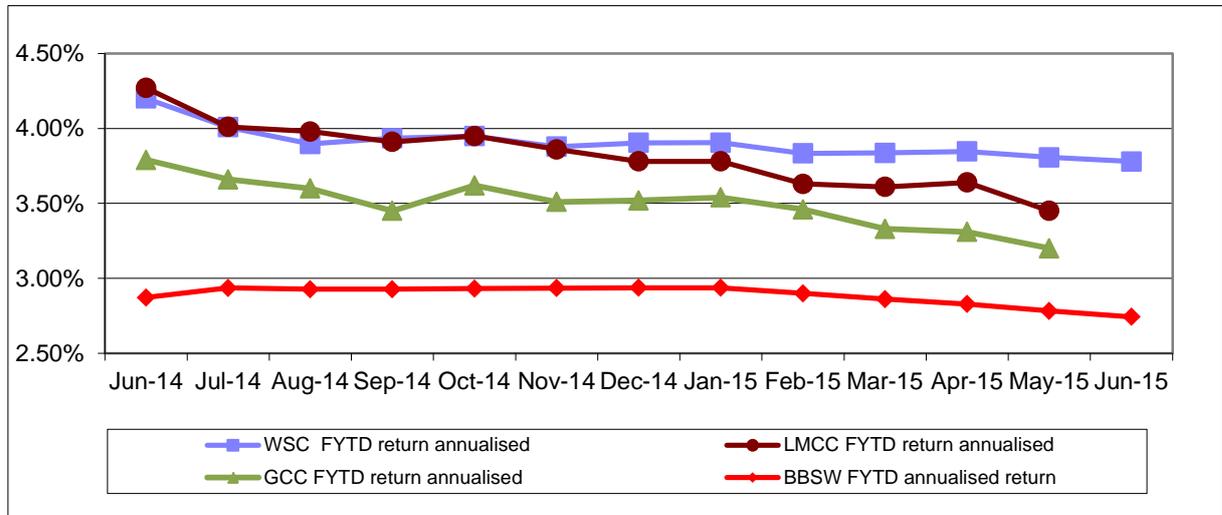
Portfolio Returns (Annualised)

WSC's investment yield compares favourably to neighbouring Councils as outlined in table 10 below. Graph 2 shows the Financial Year to date, annualised portfolio returns over a 12 month period for all three Councils compared to BBSW.

Table 9 – Summary of Investment Portfolio Returns

Month	BBSW	Wyong Shire Council	Gosford City Council	Lake Macquarie Council
Dec 2014	2.94%	3.90%	3.52%	3.78%
Jan 2015	2.94%	3.90%	3.54%	3.78%
Feb 2015	2.90%	3.83%	3.46%	3.63%
Mar 2015	2.86%	3.84%	3.33%	3.61%
Apr 2015	2.83%	3.85%	3.31%	3.64%
May 2015	2.78%	3.81%	3.20%	3.45%
Jun 2015	2.74%	3.78%	Not available	Not available

Graph 2 – Portfolio Return – Comparison to Neighbouring Councils



INVESTMENT STATEMENT

In accordance with the Local Government (General) Regulation 2005, Part 9, Division 5, Clause 212, it is certified that the investments held as at 30 June 2015 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

ATTACHMENTS

- 1 Summary of Investment by Type - June 2015 D11996846

Wyong Shire Council Summary of Investments - By Type As at 30 June 2015										
FUND MANAGER	TYPE OF INVESTMENT	RATINGS		MATURITY	PORTFOLIO BALANCE		AS A % OF TOTAL PORTFOLIO	INCOME FOR MONTH OF JUNE	INTEREST RATES %	
		Short Term	Long Term		31.5.15 \$	30.6.15 \$				
CASH AT CALL:										
Westpac	Corporate Investment Account	A1	AA	Daily	24,182,458	29,848,124		65,666	2.10	
CBA	At Call Deposit	A1	AA	Daily	-	-		-		
ANZ	11am Call Account	A1	AA	Daily	-	-		-	2.00	
AMP	Business Saver Account	A1	A	Daily	4,516,398	4,525,864		9,466	2.55	
Total Cash At Call					28,698,856	34,373,988	23.17%	75,132		
TERM DEPOSITS & BONDS										
<u>Short term deposits & bills (less than 90 days)</u>										
ANZ	Term Deposit	A1	AA	1/06/2015	4,000,000			0	3.72	
NAB	Term Deposit	A1	AA	22/06/2015	5,000,000			10,327	3.59	
Suncorp	Term Deposit	A1	A	13/07/2015	5,000,000	5,000,000		14,589	3.55	
ANZ	Term Deposit	A1	AA	24/07/2015	4,000,000	4,000,000		12,263	3.73	
ING	Term Deposit	A1	A	13/08/2015	5,000,000	5,000,000		14,425	3.51	
ANZ	Term Deposit	A1	AA	25/08/2015	4,000,000	4,000,000		12,296	3.74	
NAB	Term Deposit	A1	AA	8/09/2015		5,000,000		14,548	3.54	
NAB	Term Deposit	A1	AA	22/09/2015		5,000,000		14,589	3.55	
					27,000,000	28,000,000	18.87%	93,037		
<u>Medium Term Deposits (up to 365 days)</u>										
NAB	Term Deposit	A1	AA	8/09/2015	5,000,000				3.54	
NAB	Term Deposit	A1	AA	22/09/2015	5,000,000				3.55	
CBA	Term Deposit	A1	AA	4/10/2015	5,000,000	5,000,000		13,356	3.25	
CBA	Term Deposit	A1	AA	22/10/2015	5,000,000	5,000,000		13,274	3.23	
CUA	Term Deposit	A2	BBB	17/11/2015	5,000,000	5,000,000		14,795	3.60	
Bank of Queensland	Term Deposit	A2	BBB	25/11/2015	5,000,000	5,000,000		16,644	4.05	
ING	Term Deposit	A1	A	26/11/2015	5,000,000	5,000,000		16,438	4.00	
CUA	Term Deposit	A2	BBB	16/12/2015	5,000,000	5,000,000		14,795	3.60	
CBA	Term Deposit	A1	AA	23/12/2015	5,000,000	5,000,000		12,781	3.11	
NAB	Term Deposit	A1	AA	10/01/2016	5,000,000	5,000,000		12,904	3.14	
CBA	Term Deposit	A1	AA	18/01/2016	5,000,000	5,000,000		12,658	3.08	
WSCU	Term Deposit	UNRATED	UNRATED	31/01/2016	1,000,000	1,000,000		2,712	3.30	
CBA	Term Deposit	A1	AA	10/02/2016	5,000,000	5,000,000		12,658	3.08	
CBA	Term Deposit	A1	AA	22/02/2016	5,000,000	5,000,000		12,658	3.08	
NAB	Term Deposit	A1	AA	7/03/2016	5,000,000	5,000,000		12,863	3.13	
					71,000,000	61,000,000	41.11%	168,534		
<u>Non - Current</u>										
Bank of Queensland	Term Deposit	A2	BBB	2/08/2016	6,000,000	6,000,000		25,644	5.20	
Bank of Queensland	Term Deposit	A2	BBB	8/09/2016	5,000,000	5,000,000		15,205	3.70	
Heritage	Senior Bond	A3	BBB	20/06/2017	4,000,000	4,000,000		23,836	7.25	
ME Bank	Term Deposit	A2	BBB	25/08/2017	5,000,000	5,000,000		16,027	3.90	
ANZ	Term Deposit	A1	AA	30/10/2018	5,000,000	5,000,000		20,014	4.87	
					25,000,000	25,000,000	16.85%	100,726		
Total Term Deposit & Bonds:					123,000,000	114,000,000	76.83%	362,297		
TOTAL PORTFOLIO					151,698,856	148,373,988	100.00%	437,429		
Current					126,698,856	123,373,988	83.15%			
Non-Current					25,000,000	25,000,000	16.85%			
TOTAL PORTFOLIO					151,698,856	148,373,988	100.00%			

5.3 Draft Minutes of the Audit and Risk Committee Meeting - 17 June 2015

TRIM REFERENCE: F2004/07245 - D11984736

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

The draft minutes of the Audit and Risk Committee meeting of 17 June 2015 are submitted to Council for consideration.

RECOMMENDATION

That Council receive the report on Draft Minutes of the Audit and Risk Committee Meeting - 17 June 2015.

BACKGROUND

A meeting of the Audit and Risk Committee was held on 17 June 2015. The minutes of this meeting are attached to this report.

Council has not delegated its authority to the Committee to make decisions on its behalf nor does the Committee have the authority to direct staff. Accordingly any recommendations of the Committee requiring the authorisation of Council will be reported to Council separately.

ATTACHMENTS

1 MINUTES - Audit and Risk Meeting - 17 June 2015 D11978773

WYONG SHIRE COUNCIL

**MINUTES OF THE
AUDIT AND RISK COMMITTEE MEETING OF COUNCIL**

HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 17 JUNE 2015
COMMENCING AT 9:30 AM

PRESENT

Cr Doug Eaton, Mayor - *via phone, left at 10.58 am*
Cr Lynne Webster, Deputy Mayor - *arrived at 9.54 am*
Mr Jason Masters, Independent Member – Chairperson
Mr Glen Harris, Independent Member

IN ATTENDANCE

Ms Tina Baker, Chief Internal Auditor
Ms Taneille Clarke, Internal Auditor
Mr Stephen Bignill, Senior Project Executive - *arrived at 10.41 am, left 10.58 am*
Mr Stephen Naven, Chief Financial Officer - *arrived at 10.55 am, left 11.18 am*
Ms Kim Futchter, Financial Controller - *arrived at 10.55 am, left 11.18 am*
Ms Lilly Mojsin, Senior Internal Ombudsman - *arrived at 11.01 am*
Ms Jacquie Elvidge, Councillor Services Officer

The Chairperson, Mr Jason Masters, declared the meeting open at 9:44 am and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

APOLOGIES

Nil.

At the commencement of the meeting report numbers 1.1, 2.1, 3.2, 3.3, 3.4, 3.5, 3.6, 4.3, 3.7, 3.8, 4.1, 4.2 and 3.1 were dealt with first, then the remaining reports in order. However, for the sake of clarity, the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

Disclosure regarding all Agenda items

Mr Jason Masters, Independent Member, disclosed a non-pecuniary interest with insignificant conflict for the reason that he is the Chair for Audit and Risk at Cessnock Council, an independent reviewer for Woollahra Municipal Council, the administrator of the NSW Crown Holiday Park Trust and developed a course for LG (Local Government) for AICD (Australian Institute of Company Directors) funded by state-wide.

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the report on Disclosure of Interest and note advice of disclosures.

2.1 Confirmation of the adopted Minutes of the Wyong Shire Audit and Risk Committee Meeting - 25 March 2015

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee note the minutes of the meeting of the Wyong Shire Audit and Risk Committee held on the 25 March 2015 were adopted by Council at the 22 April 2015 Ordinary Meeting.

3.1 Status Report on Outstanding Actions

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee confirm the Status Report on Outstanding Actions for the previous Wyong Shire Audit and Risk Committee meeting.

3.2 Internal Audit Work Programme 1 July 2015 to 30 June 2016

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee recommend that the Council endorse the proposed Internal Audit Plan for 1 July 2015 to 30 June 2016 as set out in Appendix 1.

3.3 Internal Audit Year In Review

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the Internal Audit Year In Review report and thank the internal audit team for the work they've done during the year.

3.4 Progress With Implementation of Management Agreed Actions Arising From IA Reviews

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the report on Progress With Implementation of Management Agreed Actions Arising From IA Reviews and request the General Manager to provide commentary at the next Audit & Risk Committee meeting about improving leadership culture around audit agreed management action plans and associated risks.

3.5 Chief Internal Auditor's Report

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the Internal Audit report

3.6 Balanced Scorecard Report

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee note the Chief Internal Auditor's Balanced Scorecard Report.

3.7 External Audit Plans 2014-15 Final

COMMITTEE RECOMMENDATION

- 1 That the Audit and Risk Committee receive the final 2015 Audit Plan and Client Assistance Schedule from PricewaterhouseCoopers.*
- 2 That the Audit and Risk Committee receive the final Audit Office Client Service Plan for the audit of the Water Supply Authority for the year ending 30 June 2015.*

3.8 Q3 Business Report 2014-15

COMMITTEE RECOMMENDATION

- 1 That the Audit and Risk Committee receive the Q3 Business Report of Wyong Shire Council's progress against the 2014-2018 Strategic Plan that was adopted by Council at its Ordinary Meeting on 27 May 2015.*
- 2 That the Audit and Risk Committee note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.*

4.1 Interim Audit 2014-15 - Report from External Auditor

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the report on Interim Audit 2014-15 - Report from External Auditor.

4.2 Report from Senior Internal Ombudsman

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive and note the report on Report from Senior Internal Ombudsman.

4.3 Quarterly Risk Management Report

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the Wyong Shire Council Risk Management Report as at 31 May 2015.

GENERAL BUSINESS

GB2/15 IT Strategy & Systems
F2004/07245

Mr Jason Masters requested a report be submitted to the next scheduled Audit & Risk Committee meeting, providing the committee with an update on Wyong Shire Council's IT Strategy and systems.

GB3/15 Business Unit Manager Outstanding Actions
F2004/07245

Mr Glenn Harris advised that at a previous meeting there were discussions around the possibility of inviting Business Unit Managers to attend future Audit & Risk Committee meetings to provide feedback on their Internal Audit experiences, and as he was unable to attend the last meeting, requested an update as to if this item had progressed?

Mr Jason Masters advised that this item had not progressed yet and that he would discuss it with the General Manager.

THE MEETING terminated at 11.33am.

5.4 Draft Minutes of the Employment and Economic Development Committee Meeting - 1 July 2015

TRIM REFERENCE: F2012/01905 - D11997219
MANAGER: Mike Dowling, Director
AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

The draft minutes of the Employment and Economic Development Committee meeting of 1 July 2015 are submitted to Council for consideration.

RECOMMENDATION

That Council receive the report on Draft Minutes of the Employment and Economic Development Committee Meeting - 1 July 2015.

BACKGROUND

A meeting of the Employment and Economic Committee was held on 6 May 2015. The minutes of this meeting are attached to this report.

Council has not delegated its authority to the Committee to make decisions on its behalf nor does the Committee have the authority to direct staff. Accordingly any recommendations of the Committee requiring the authorisation of Council will be reported to Council separately.

ATTACHMENTS

- | | |
|---|-----------|
| 1 MINUTES - Employment and Economic Development Committee Meeting - 1 July 2015 | D11995587 |
|---|-----------|

WYONG SHIRE COUNCIL

MINUTES OF THE
EMPLOYMENT AND ECONOMIC DEVELOPMENT COMMITTEE OF COUNCIL
HELD IN THE COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 01 JULY 2015
COMMENCING AT 4.00 PM

PRESENT

Councillors G P Best (Chairperson), D J Eaton and K G Greenwald

IN ATTENDANCE

Councillor L S Taylor, Acting Director Development and Building, Director Property and Economic Development, Manager Property Development and Councillor Services Officer.

OBSERVERS

Mr Chris Oliver - Director/ Principal Consultant Optima Developments Pty Ltd

APOLOGIES

Councillor Webster
Councillor Troy
Councillor Nayna

All reports were dealt with in the correct agenda sequence.

The Chairperson, Councillor Greg Best, declared the meeting open at 4.08 pm.

1.1 Disclosures of Interest

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor GREENWALD:

That the Committee receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

2.1 Confirmation of the adopted Minutes of the Employment and Economic Development Committee Meeting - 6 May 2015

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor GREENWALD:

That the Committee note that Council received the minutes of the previous meeting of the Employment and Economic Development Committee held on the 6 May 2015.

2.2 Address by Invited Speakers

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor GREENWALD:

That the Committee receive the additional report on Invited Speakers.

3.1 Lot 431 and 55 DP 755266 (78 - 92 Carters Road), Lake Munmorah

Mr Chris Oliver, Director/ Principal Consultant Optima Developments Pty Ltd, addressed the meeting at 4.16 pm, answered questions and left at 4.39 pm.

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor GREENWALD:

1 *That the Committee note the information in the report.*

2 *That the Committee recommend Council advise the owners of the subject land and their representative that a formal planning proposal application to amend Wyong Local Environmental Plan 2013 can be lodged if a rezoning of the subject land is to be further pursued.*

4.1 Value of Development Assessments

RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor EATON:

That the Committee receive the report and the contents be noted.

4.2 Major Project Status Report

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor GREENWALD:

That the Committee receive the report on Major Project Status Report.

4.3 Iconic Sites Status Report

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor GREENWALD:

That the Committee receive the report on Iconic Sites Status Report.

4.4 Temporary Economic Stimulus Plan

RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor EATON:

- 1 *That the Committee receive the update on the Temporary Economic Stimulus Plan.***
- 2 *That the Committee recommend Council provide a further report on dealing with developments that have historic contribution rates attributed to them that are considerably higher than the current prevailing rates. That this report include the differences in income between the rates established in existing development consents compared to the Section 94 rate adopted in the Warnervale District Contributions Plan.***

THE MEETING closed at 5.52 pm.

5.5 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee - 2 July 2015

TRIM REFERENCE: F2004/07986 - D12002413

MANAGER: Greg McDonald, Director

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 2 July 2015.

RECOMMENDATION

That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 2 July 2015.

BACKGROUND

A meeting of the Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 5 March 2015. The agenda for the meeting is available at the following link: [Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee Agenda - 2 July 2015.](#)

Council has not delegated its authority to the Committee to make decisions on its behalf nor does the Committee have the authority to direct staff. Accordingly any recommendations of the Committee requiring the authorisation of Council will be reported to Council separately.

ATTACHMENTS

- 1 MINUTES - Tuggerah Lakes Estuary, Coastal & Floodplain Management Committee Meeting - 2 July 2015

WYONG SHIRE COUNCIL

MINUTES OF THE
**TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN
MANAGEMENT COMMITTEE OF COUNCIL**

HELD IN THE COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 02 JULY 2015
COMMENCING AT 5.00PM

PRESENT

Mayor D Eaton (Wyong Shire Council)
Councillor A Taylor (Wyong Shire Council) – Co-Chairperson
Councillor L Webster (Wyong Shire Council)
Mr Bob Davies (Community Member)
Ms Marlene Pennings (Community Member)

IN ATTENDANCE

Mr Greg McDonald (Wyong Shire Council)
Mr Peter Ham (Wyong Shire Council)
Ms Lara Davis (Office of Environment and Heritage)
Ms Jade Maskiewicz (Wyong Shire Council)

APOLOGIES

Mr Neil Kelleher (Office of Environment and Heritage)
Councillor Adam Troy (Wyong Shire Council) – Co-Chairperson
Mr Ken Derry (Community Member)

The meeting was declared open by Councillor Taylor at 5.00pm.

1.1 Disclosure of Interest

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor EATON:

That the Committee receive the report on Disclosures of Interest and note that there were no disclosures.

1.2 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Mr B DAVIES and seconded by Councillor EATON:

That the Committee confirm the minutes of the previous Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 7 May 2015.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

1.3 Address by invited Speakers

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor EATON:

That the Committee receive the report on Invited Speakers.

2.1 Coastal Zone Management

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Mr B Davies:

That the Committee receive the report on Coastal Zone Management.

2.2 Floodplain Risk Management

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

- 1 That the Committee note the intention to make a budget provision in 2015/16 to revise the Porters Creek Flood Study**
- 2 That the Committee note the adoption of the Porters Creek Floodplain Risk Management Plan will be deferred until after the Flood Study is updated**
- 3 That the Committee receive and note the Floodplain Risk Management Report.**

2.3 Report on Lake Management Operations

RESOLVED unanimously on the motion of Ms M PENNINGGS and seconded by Mr B DAVIES:

That the Committee receive the report on Report on Lake Management Operations.

2.4 Gross Pollutant Trap Capital Works

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Ms M PENNINGGS:

That the Committee receive the report on Gross Pollutant Trap Capital Works.

2.5 Status Report on Outstanding Actions

RESOLVED unanimously on the motion of Ms M PENNINGGS and seconded by Councillor TAYLOR:

That the Committee confirm the Status Report on Outstanding Actions for the Tuggerah Lakes Estuary Coastal & Floodplain Management Committee Meeting.

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
ACTION LOG**

Item #	Meeting Date	Report Title	Action	Responsibility	Status/ Notes
2.4	5 March 2015	Coastal Zone Management	<p>1 That the Committee <u>receive</u> the report on Coastal Zone Management.</p> <p>2 That the Committee <u>recommend</u> that Council conduct further morphological modelling on a narrower but deepened channel at The Entrance.</p> <p>3 That the Committee <u>recommend</u> to Council for staff to provide an estimate of the likely cost of further modelling.</p>	Peter Ham Manager Waterways and Asset Management	Mr Greg McDonald advised status reports will continue to be provided and an update will be provided when a report is received.
GB10/15	5 March 2015	Dead Trees in the Lake at Lake Munmorah	<i>That a representative from NSW Maritime attend at a future meeting to address the committee.</i>	Peter Ham Manager Waterways and Asset Management	NSW Maritime to attend at the 6 August 2015 Committee meeting to address concerns relating to: <ul style="list-style-type: none"> • Noise from powerboat races • Navigational hazards from trees fallen from National Park Land at Colongra Bay
2.4	7 May 2015	Report on Lake Management Operations	<p>1 That the Committee receive the report on Report on Lake Management Operations.</p> <p>2 That the Committee recommend that Council further investigate physical work trials for the black ooze removal.</p> <p>3 That the Committee recommend to Council for staff to report on the results of waste/sediment removed from the GPTs.</p>	Peter Ham Manager Waterways and Asset Management	Mr Greg McDonald confirmed the following items will be included in the standard reporting: <ul style="list-style-type: none"> • Black ooze program • Tuggerah Parade Long Jetty foreshore project • GPTs tonnages • Ourimbah Creek • Dredging program

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
COMPLETED SINCE 7 MAY 2015**

Item #	Meeting Date	Report Title	Status/ Notes
2.6	5 March 2015	Gross Pollutant Traps	Completed.

3.0 GENERAL BUSINESS

GB13/15 Jetty Repairs – Lake Munmorah Mr Bob Davies

“Mr Bob Davies advised there are some repairs taking place at the jetty at Lake Munmorah and there is some portable fencing in place with a boat hull beside it which would require fixing.

Mr Peter Ham will obtain the specific details and follow up this issue.

THE MEETING terminated at 6.00pm.

5.6 General Works in Progress

TRIM REFERENCE: F2004/07830 - D11988297

MANAGER: Rob Fulcher; Manager Contract and Project Management

AUTHOR: Josette Matthews; PA to Manager, IM Support

SUMMARY

This report shows the current status of significant capital and maintenance expenditure in progress, as at the end of July 2015. General Water and Sewerage services are not included.

RECOMMENDATION

That Council receive the report on General Works in Progress.

ROADS AND DRAINAGE SECTION OVERVIEW

Capital Works In Progress

The table below is a status report of current major roads and drainage projects.

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Hume Boulevard, Killarney Vale – road and drainage upgrade	\$1.1M	15 Jun 2015	10%	10%	Sept 2015	Drainage commenced
Dickson Road – table drain upgrade and sealing for approx. 1km	\$160K	11 May 2015	100%	100%	July 2015	Road primer sealed, final seal in warmer months
Vincent Close Buff Point – construction of new road to access properties	\$350K	12 May 2015	90%	100%	July 2015	New road and footpath completed
Goorama Avenue San Remo – Stage 3&4 (of 5) road and drainage upgrade	\$1M	5 May 2015	30%	30%	Dec 2015	Drainage work for Stage 3 well advanced. Stage 3 will be completed before continuing onto Stage 4.
Johnson Road, Tuggerah – road renewal	\$560K	8 June 2015	90%	90%	Aug 2015	Road renewal on this busy industrial road has essentially been completed.

5.6

General Works in Progress (contd)

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Kanangra Drive – shoulder widening and road upgrade	\$1.8M	8 June 2015	50%	50%	Oct 2015	Contractor still progressing road upgrade works, prior to the installation of barriers.
Ruttleys Road upgrade	\$2.56M	28 Feb 2104	85%	85%	Sept 2015	Wire rope barrier installation commenced
Footpath/Shared path at: <ul style="list-style-type: none"> • Anita Avenue Lake Munmorah • Pac Highway Lake Munmorah • Lakes Beach, Budgewoi 	\$90K \$250K \$100K	June 2015 June 2015 June 2015	90% 80% 100%	90% 80% 100%	July 2015 July 2015 July 2015	Final paths in 14/15 footpath programme
Road Reseal Program	\$4.67M	1 July 2014	100%	100%	June 2015	14/15 sealing program fully completed. Preparation works for 15/16 program commenced.

General Maintenance Work

The following is a list of general works undertaken during this period:

	North	South
Drainage Maintenance	Lake Haven Noraville Gorokan	Berkeley Vale The Entrance Bateau Bay
Replacement of Damaged Foot paving	Hamlyn Terrace Woongarra Blue Haven Mannering Park	The Entrance Bateau Bay Killarney Vale Berkeley Vale
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Jilliby Yarramalong Buff Point Gwandalan Summerland Point	Toowoan Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway The Entrance North
Shoulder Restoration	Warnervale	Nil
Heavy Patching	Gorokan Kanwal	Long Jetty Berkeley Vale
Table Drain Maintenance	Charmhaven San Remo Gorokan	Long Jetty Bateau Bay Killarney Vale Tumbi Umbi Berkeley Vale The Entrance Ourimbah Glennings Valley
Rural Road Grading	Dooralong Yarramalong Gwandalan Bushells Ridge	Ourimbah Palmdale Kangy Angy Palm Grove
Carpark Maintenance	Nil	The Entrance
Fencing	Noraville	Berkeley Vale

CONTRACTS AND PROJECT MANAGEMENT SECTION

The table below is a status report of current major contracts in excess of \$150,000 and awarded following Council resolution.

Key	
On track	
At risk	
In trouble	

Item Description	Est Cost (excl. GST)	Start Date	Est Comp Date	Status	Comments
CPA/182057 – Construct new Sewer Pump Station (SPS) TO8A, Refurbish SPS TO08 and associate works at Norah Head	\$1M	April 2015	Dec 2015		Tender awarded to Gongues Constructions Pty Ltd April 2015. 30 week contract.
CPA/237919 – Norah Head Boat Ramp Construction	\$2.85M	April 2014	April 2015		Project completed. Formal opening scheduled for July 16
CPA/250224 - Redevelopment of Frank Ballance Park	\$1.135M	July 2014	Nov 2015		Construction underway. Expected completion Nov 2015.
CPA/217073 - Relocation of 11kV and Low Voltage mains, Minnesota Road, Hamlyn Terrace and Associated Water Supply Works	\$436K	Nov 2012	March 2015		New pole mounted transformer installed in March 2015. Work now complete.
CPA/159128 – Investigation and Design Consultancy for the Art House	\$1.494M	2009	Dec 2015		Design consultants are providing on-going services during the construction phase.
CPA/226654 Wyong South Sewage Treatment Plant Augmentation Stage 4	\$15M	Dec 2014	May 2016		Site works are continuing. Constructions of the decanter foundations and bridges to Aeration Tank 4 have been completed and installation of the mechanical equipment has commenced. The new switchroom is nearing completion.
CPA/247310 Alison Homestead Rebuild	\$1.2M	Oct 2014	Aug 2015		Construction is underway. Rain has impacted progress to civil works. Expected completion Mid July – Early August 2015.
CPA/247284 – Design & Construction of Saltwater Creek Shared Pathway Bridge.	\$700K	Dec 2014	July 2015		Bridge installed. Approaches to be completed and pathway reopened in mid-July.

5.6

General Works in Progress (contd)

Item Description	Est Cost (excl. GST)	Start Date	Est Comp Date	Status	Comments
CPA/241428 – Construction of Performing Arts Centre.	\$11.359M	Nov 2014	Dec 2015		Block walls to the theatre & studio are well progressed and the fly tower is 50% complete. Structural steel erection to the foyer will commence 1/7/15.
CPA/248416 – Design of Tuggerah Regional Sports Complex.	\$741K	Dec 2014	June 2016		Contract awarded to CKDS Architecture Pty. Detailed design for stage 1 completed.
CPA/246157 – The Entrance Town Centre Tile Replacement – Stage 3B/C	\$393K	Apr 2015	End June 2015		Works completed.
CPA/246855 – SPS WS 29 and WS 30 Upgrade	\$1.513M	Apr 2015	Jan 2016		Contract awarded to Kerroc Construction P/L on 24 March 2015.

CONTRACTS REACHING PRACTICAL COMPLETION IN LAST THREE MONTHS

Contract No.	Contract Description	Date of Practical Completion
CPA/235534	T06 Sewer Rising Main Partial replacement, Noraville	24 April 2015

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD

Contract No	Contract Description	Contract Status
CPA/216733	Demolition of old Mardi Intake Tower	Defect Liability Period (DLP) concluded 8 May 2015. Bank Guarantee returned to Contractor
CPA/235478	Gross Pollutant Trap at Saltwater Creek, Long Jetty	DLP concluded 4 July 2015. Bank Guarantee to be returned to Contractor
CPA/236170	The Entrance Town Centre Tile Replacement Project Stage 2	DLP concludes 15 July 2015.
CPA/220970	Replacement of Lifts to Civic Centre	Defects Liability Period expires on 5 December 2015.
CPA/236748	Toukley Town Centre North South Pedestrian Link- Construction	Defects Liability Period expires on 11 July 2015.

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD (CONTD)		
Contract No	Contract Description	Contract Status
CPA/223684	Construction of B14 Sewer Rising Main at Bateau Bay.	27 May 2015
CPA/234219	Construction of Administration Building at Buttonderry Waste Management Facility.	DLP concludes 11 November 2015
CPA/247920	Construction of gross pollutant traps at San Remo, Buff Point and Budgewoi.	DLP concludes 20 April 2016

ATTACHMENTS

Nil.

5.7 Works in Progress - Water Supply and Sewerage

TRIM REFERENCE: F2004/07830 - D12002373

MANAGER: Daryl Mann; Manager Water and Sewerage Operations

AUTHOR: Vanessa Trzcinka; Technical Operations Engineer Water and Sewerage Operations

SUMMARY

Water supply and sewerage works in progress and completed for June 2015.

RECOMMENDATION

That Council receive the report on Works in Progress - Water Supply and Sewerage.

WATER SUPPLY

The table below is a status report of current major new and upgrade water projects.

Item Description	Est. Cost \$	Start Date	% Spent	% Comp	Est. Comp Date	Comments
Mardi Dam Fire Trails	\$200,000	July 2014	95%	100%	June 2015	All construction works have been completed on time and within budget.
Mardi Water Treatment Plant CO2 Dosing	\$80,000	Aug 2014	90%	90%	July 2015	Final commissioning for PLC programming has been scheduled to be completed by July 2015.

SEWERAGE

The table below is a status report of current major new and upgrade sewerage projects.

Location	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Sewage Pumping Station BB05 and BB06 (Blue Bay / Toowoona Bay)	\$2.6M	April 2015	10%	15%	March 2016	Construction activities have commenced. A number of latent conditions have since been identified as a result of ground conditions and design omissions. Subsequently, contingency funds have been utilised and there is a risk of the estimated funds being exceeded.

Location	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Bateau Bay Berkeley Vale Budgewoi Gorokan North Entrance San Remo Toukley Tumbi Umbi	\$1.2M	July 2014	100%	100%	Jun 2015	Contract sewer main inspection & maintenance programme to improve system reliability and to reduce blockages and possible overflows. Work is being delivered as part of a 4 year contract and will be ongoing in 2015/16.

PROCESS

Water Treatment

All treated water produced by Mardi Water Treatment Plant met the health requirements of the Australian Drinking Water Guidelines (ADWG) produced by the National Health and Medical Research Council.

There was a failure with one of the filter turbidity meters which resulted in higher than normal levels of turbidity recorded within the filter unit. The combined filtered water turbidity was within the ADWG but as a precautionary MWTP and associated infrastructure was turned off. As a precautionary measure NSW Health were notified.

Sewage Treatment

The effluent discharged from Toukley Sewage Treatment Plant and Bateau Bay Sewage Treatment Plant met the Environmental Protection Authority Licence requirements.

Sewage Overflows

There were 7 sewer overflow incidents reported to the Council's Environmental Hotline for the period 1 to 30 June 2015, most were related to minor tree root blockages where the normal clean up and reporting were completed. Of these 7 incidences 4 were reported to the Environmental Protection Authority, NSW Health, Work Cover and Fire and Rescue.

Follow up reporting has been submitted for each incident through Council's internal environmental reporting procedures.

WATER STORAGE

Sunday, 28 June 2015				
DAM STORAGES				
Storage	Capacity Full [ML]	Volume in Storage [ML]	Percent Full [%]	Storage Change over last week[ML]
Mangrove Dam	190,000	132,691	69.8	Unchanged
Mardi Dam	7,400	5,270	71.2	Down 623
Mooney Dam	4,600	4,600	100.0	Unchanged
Total	202,000	142,561	70.6	Down 623
Total Dam Storage this time last month was				70.7 Percent
Total Dam Storage this time last year was				58.9 Percent
GROUNDWATER & HUNTER TRANSFERS (ML)				
Period	Groundwater	From Hunter	To Hunter	
Week to Date	0	8.3	0.0	
This year to date	0	171.6	162.2	
RAINFALL(mm)				
Period	Somersby WTP	Mardi WTP	Mangrove Dam	
Week to Date	12	20	3	
Previous Week	52	38	28	
Current week last year	0	0	0	
This year to date	1,251	1,100	860	
Same period last year	540	466	409	
Water Usage (ML)				
Period				Usage
Week to Date				506
Previous Week				523
Percent change from previous week				3.3 % less
Current week last year				524
Percent change from same week last year				3.5 % less
This year to date				14,081
Same period last year				14,683
Percent change from same period last year				4.1 % less
MARDI- MANGROVE DAM TRANSFERS (ML)				
Period	To Mangrove Dam		From Mangrove Dam	
	From Mardi Dam		To Mangrove Creek	To Mardi Dam / WTP
Last week	273		0	0
This year to date	6,232		354	2,656
Total to date *	40,458		10,293	12,443

ATTACHMENTS

Nil.

5.8 Results of Water Quality Testing for Beaches and Lake Swimming Locations

TRIM REFERENCE: F2004/06822 - D11986340

MANAGER: Jamie Loader, Manager

AUTHOR: Tabitha Kuypers; Environmental Assurance Protection Officer

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for the beaches in Wyong Shire and lake swimming sites in the Tuggerah Lakes catchment for June 2015.

RECOMMENDATION

That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

Primary Recreation Water Quality Monitoring Program

Water quality monitoring is undertaken at 22 popular swimming sites in Wyong Shire to enable the community to make informed decisions about where and when to swim.

Through the warmer months (September to March), water samples are collected weekly. The results are provided to the Office of Environment and Heritage (OEH) as part of the state-wide Beachwatch Partnership Program. Daily pollution forecasts and long term trend analysis can be viewed on their website www.environment.nsw.gov.au/beach/index/htm.

Water quality monitoring continues through the cooler months (April to September) with samples collected monthly rather than weekly to provide an insight into water quality trends.

The indicator organism used to determine microbial water quality is Enterococci - a subgroup of Fecal Streptococci that has been used as an indicator of fecal pollution for many years. Enterococci are especially useful in the marine environment and recreational waters as an indicator of potential health risks and swimming-related gastroenteritis.

The Enterococci count for each swimming site is compared against the National Health and Medical Research Council's (NHMRC) *Guidelines for Managing Risks in Recreational Water (2008)*. Table 2 displays the guidelines rating system used to determine if water is suitable for primary recreation (i.e. swimming).

5.8 Results of Water Quality Testing for Beaches and Lake Swimming Locations (contd)

Whilst historic water quality results generally indicate that the monitored swimming sites are acceptable for swimming, advisory signs have been erected at the lake sites to advise that *“this area can be affected by stormwater pollution for up to three days after heavy rain. Swimming during this period in NOT recommended”*. Greater connectivity to urban areas and lower dilution rates make the lakes more vulnerable to sources of faecal contamination including stormwater discharges, sewage infrastructure breaks and animal inputs. This is a precautionary measure only and does not mean water quality is poor at all times. In the event sampling revealed Enterococci concentrations greater than 200cfu/100mL, the site would be closed until water quality improved.

Summary of results for June 2015

Samples were collected on the 23rd and 30th June 2015 - there was no significant rainfall for three days prior to sampling. Twenty-one sites achieved a “good” star rating while Gwandalan was rated “fair” (see Table 1). Dry weather inputs from the urban catchment (i.e. people hosing driveways, using sprinklers on lawns) can contribute concentrated, contaminated urban runoff to the drainage network. Gwandalan receives inputs from stormwater infrastructure which may have contributed to the “fair” water quality rating on this occasion.

While these results provide only a “snapshot” into water quality, they feed into a larger data set. Long term water quality trends and rainfall forecasts allow the likelihood of bacterial contamination to be predicted on a daily basis – see the Central Coast Ocean Beaches Bulletin on the OEH website <http://www.environment.nsw.gov.au>.

Table 1: Star rating*

Swimming Site	Site Type	Rating	Stars
North Entrance Beach	Ocean Beach	Good	****
The Entrance Channel	Estuarine	Good	****
The Entrance Beach	Ocean Beach	Good	****
Blue Bay	Ocean Beach	Good	****
Toowoan Bay	Ocean Beach	Good	****
Shelly Beach	Ocean Beach	Good	****
Blue Lagoon	Ocean Beach	Good	****
Bateau Bay	Ocean Beach	Good	****
Chain Valley Bay	Lagoon/Lake	Good	****
Gwandalan	Lagoon/Lake	Fair	***
Frazer Beach	Ocean Beach	Good	****
Birdie Beach	Ocean Beach	Good	****
Lake Munmorah – Tom Burke Reserve	Lagoon/Lake	Good	****
Budgewoi Beach	Ocean Beach	Good	****
Lakes Beach	Ocean Beach	Good	****
Hargraves Beach	Ocean Beach	Good	****
Jenny Dixon Beach	Ocean Beach	Good	****
Canton Beach	Lagoon/Lake	Good	****
Cabbage Tree Bay	Ocean Beach	Good	****
Lighthouse Beach	Ocean Beach	Good	****
Gravelly Beach	Ocean Beach	Good	****
Soldiers Beach	Ocean Beach	Good	****

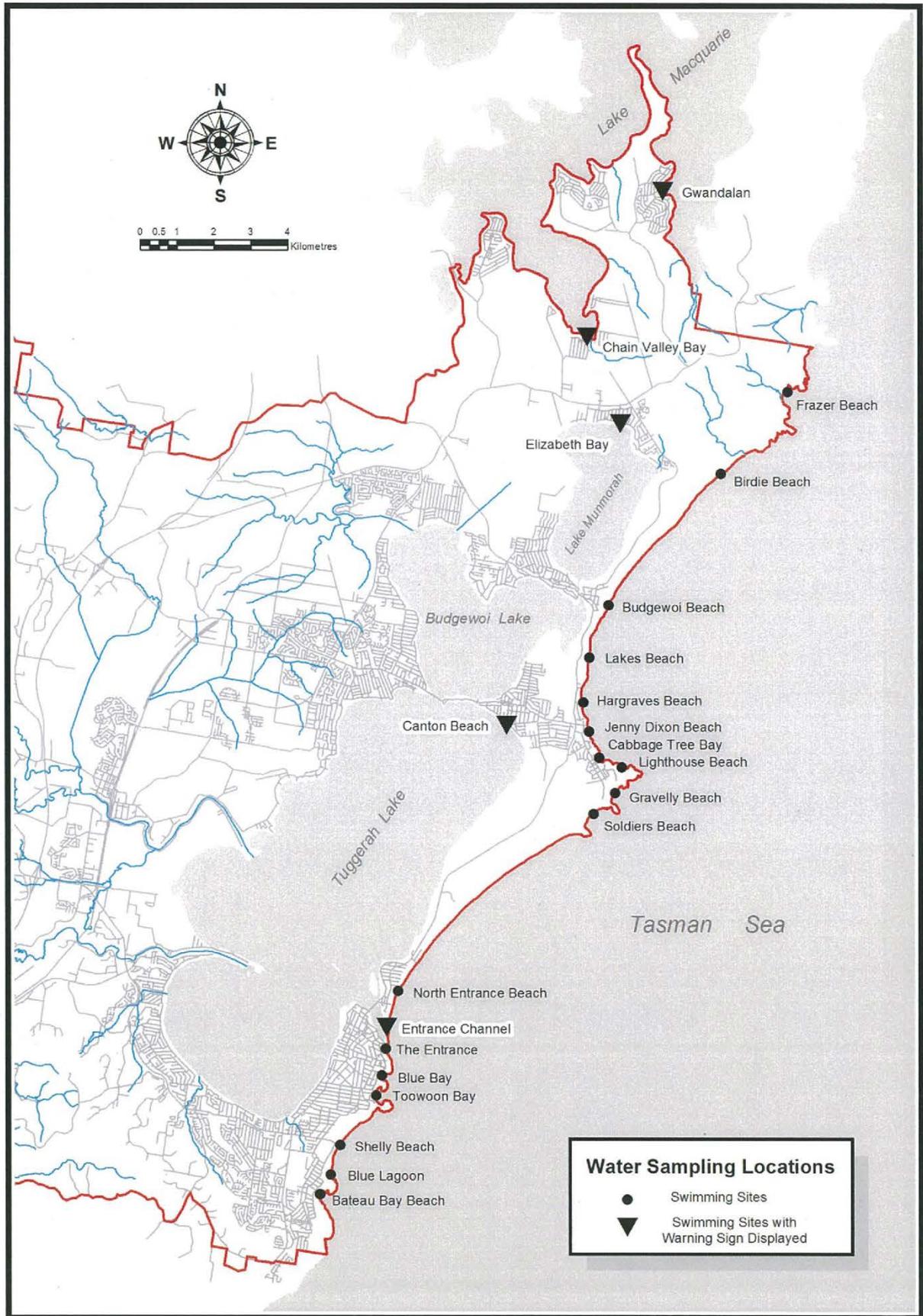
- The Star Rating for June is based on one monthly sample only.

Table 2: NHMRC Star Rating Interpretation

Star Rating		Enterococci (cfu/100mL)	Interpretation
****	Good	≤ 40	Bacterial levels are generally safe for bathing according to the NHMRC guidelines.
***	Fair	41 – 200	Bacterial levels are generally safe for bathing according to the NHMRC guidelines although there is an increased risk of contracting illness when levels are close to the upper range.
**	Poor	201- 500	NHMRC indicates swimming at site is not recommended.
*	Bad	>500	NHMRC indicates swimming at site is not recommended.

ATTACHMENTS

- 1 Water Sampling Sites D03238043



5.9 Activities of the Development and Rezoning and Building Certification Compliance and Health Units

TRIM REFERENCE: F2004/07830 - D11986331

MANAGER: Tanya O'Brien, Manager

AUTHOR: Jane Doyle; Development Assistant

SUMMARY

The report includes information and statistics regarding the operations of the Development and Rezoning Unit and the Building Certification Compliance and Health Unit which covers the submission and determination of development, construction and subdivision applications for the month of June 2015.

Further the report includes information related to job creation based on Council's adopted employment indice of 10 jobs per \$1 million invested.

RECOMMENDATION

That Council receive the report on Activities of the Development and Rezoning and Building Certification Compliance and Health Units for the month of June 2015 and related job creation.

Development Applications Received and Determined – Development and Rezoning Unit- June 2015.

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	10	18,552,800	6	1,868,093
Industrial	-	-	-	-
Residential (Multiple Dwellings/Dual Occupancy)	18	8,091,000	5	1,585,000
Other Applications	3	144,000	6	3,598,828
Subdivisions	-	-	6	2,554,610
Section 96 Applications	5	-	11	-
Total	36	26,787,800	34	9,606,531

**Development Applications Received and Determined – Building Certification
Compliance and Health Unit – June 2015**

Type:	Number Received:	Estimated Value: \$	Number Determined:	Estimated Value: \$
Commercial	1	90,000	1	90,000
Industrial	-	-	-	-
Residential- Multiple Dwellings (Dwellings)	62	15,429,442	56	16,028,848
Residential (Alterations and Additions)	39	2,191,828	53	3,240,304
Other Applications	6	90,900	2	115,400
Section 96 Applications	11	-	5	-
Total	119	17,802,170	117	19,474,552

Jobs created during reporting period

During June 2015, 151 DA's were approved representing approximately \$29M worth of investment. There was 1 rezoning approved in June 2015.

The following table outlines the number of jobs which could be created, should the DA's which have been approved be fully taken up:

Month 2015	Value of Development Applications Determined \$	Equivalent Jobs Created through DAs determined (based on 10 jobs per \$1M)	Equivalents jobs created through Council's capital expenditure and materials operating contracts expenditure (based on 10 jobs per \$1M)	Central Coast Growth Plan monthly jobs target (based on 947 jobs per year)
February	35,839,564	350	unknown	79
March	13,555,491	130	58	79
April	15,479,929	150	65	79
May	23,414,861	230	43	79
June	29,081,083	290	*71	79

* based on interim June financial results (as at 3 July 2015)

5.9 Activities of the Development and Rezoning and Building Certification Compliance and Health Units (contd)

Subdivision Applications Received and Determined June 2015

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	2	3	2	3
Industrial	1	1	1	1
Residential	6	117	4	110
Rural	-	-		
Total	9	121	7	114

Financial Year	Residential & Strata Lots Created (Actual)	Residential & Strata Lots Created (DA Approved)	Secondary Dwellings Approved	Required Homes per CC Growth Plan
2012/2013	145	282	59	1288
2013/2014	95	943	96	1288
2014/2015 YTD	204	413	131	1288

Net Median Turn-around Time – June 2015

The net median turn-around time in working days for development applications determined within the Development Assessment Unit during June 2015 was 21 days. The net median turnaround time in working days for Section 96 applications was 24 days.

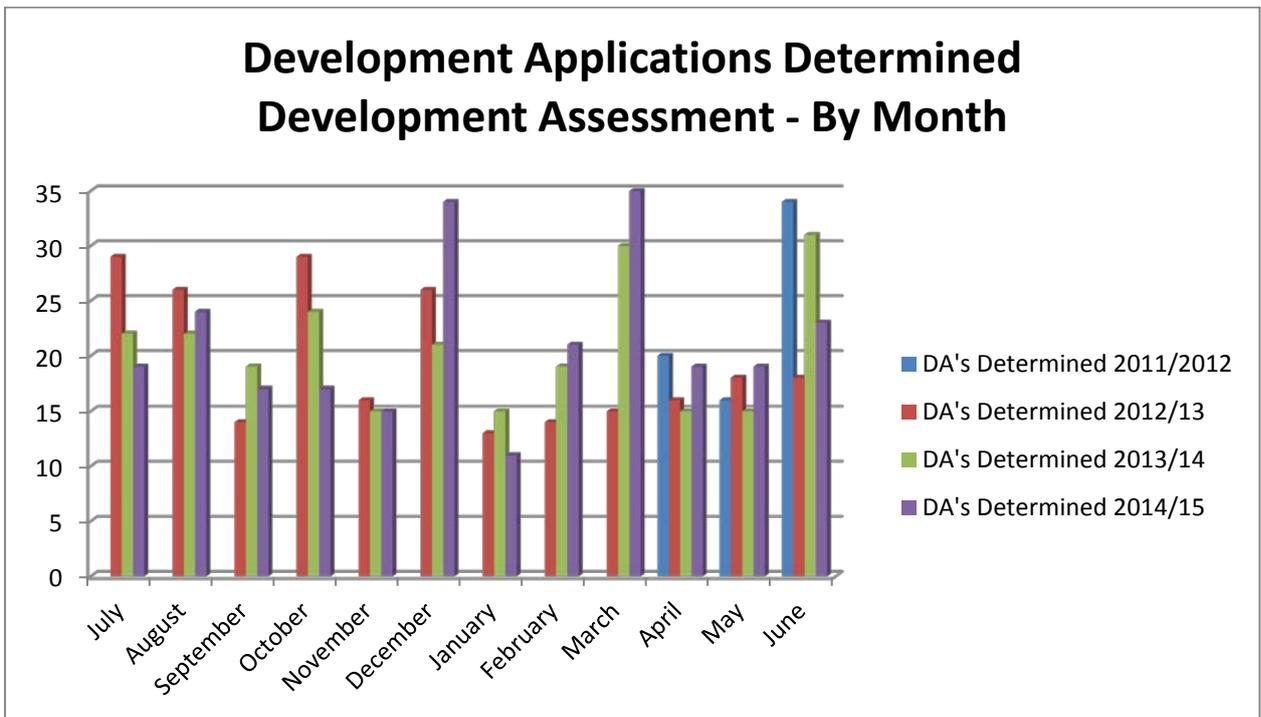
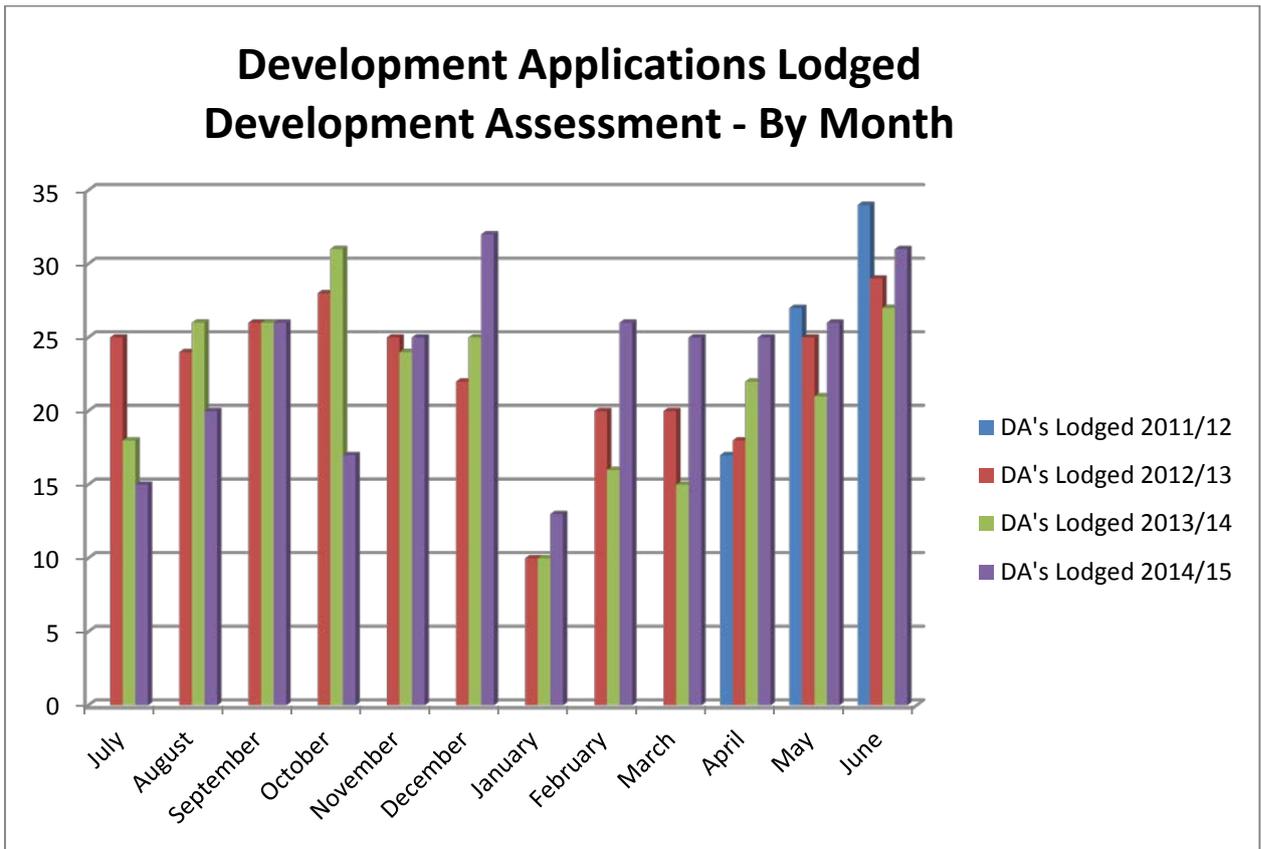
The net median turn-around time in working days for development applications determined in the Building Certification Compliance and Health for June 2015 was 12 days. The net median turn-around time in working days for Section 96 applications was 6 days.

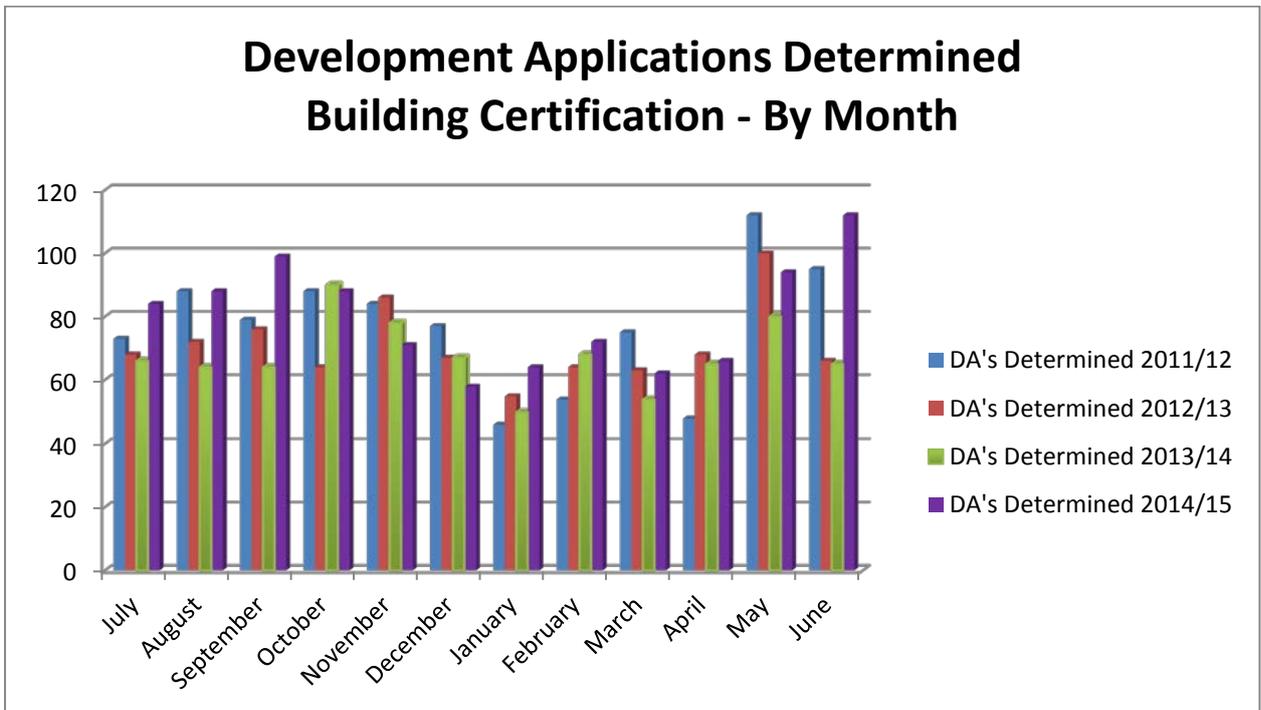
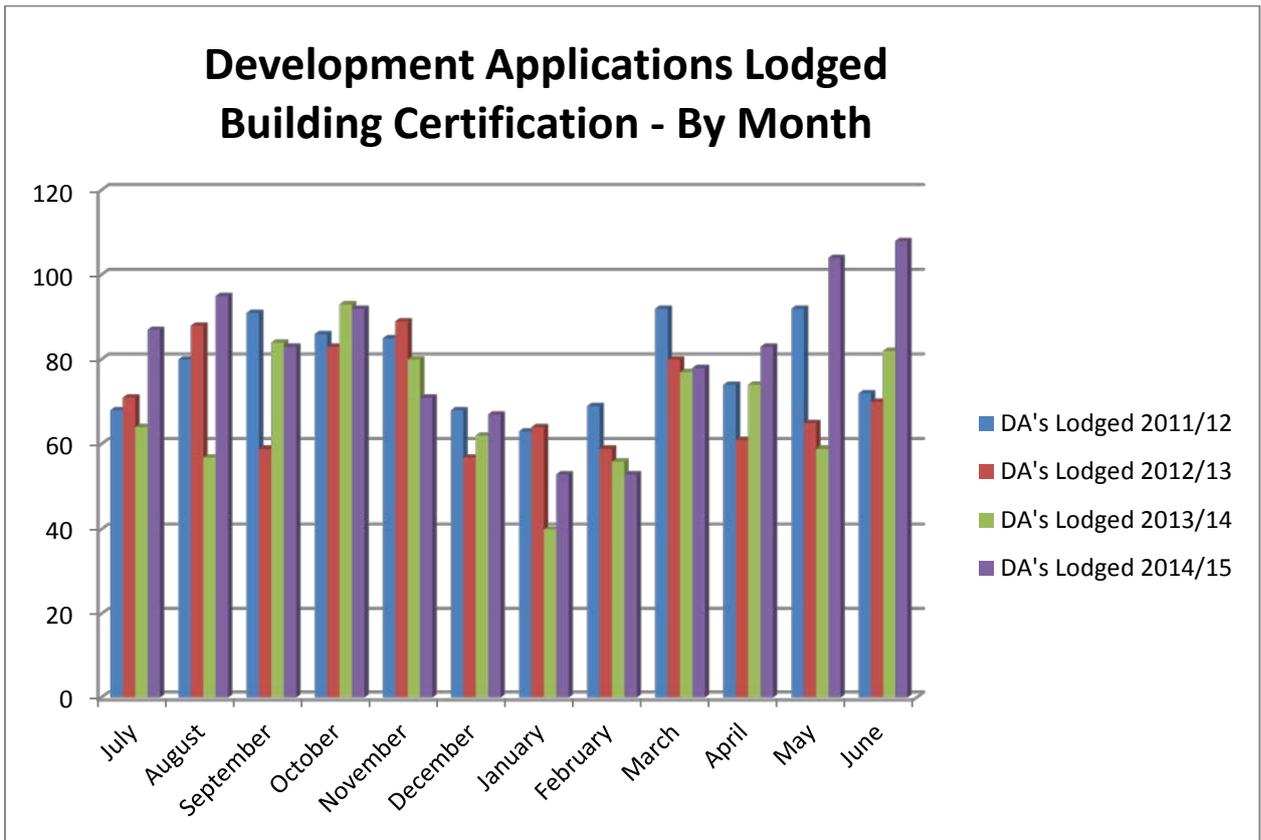
Other Approvals and Certificates

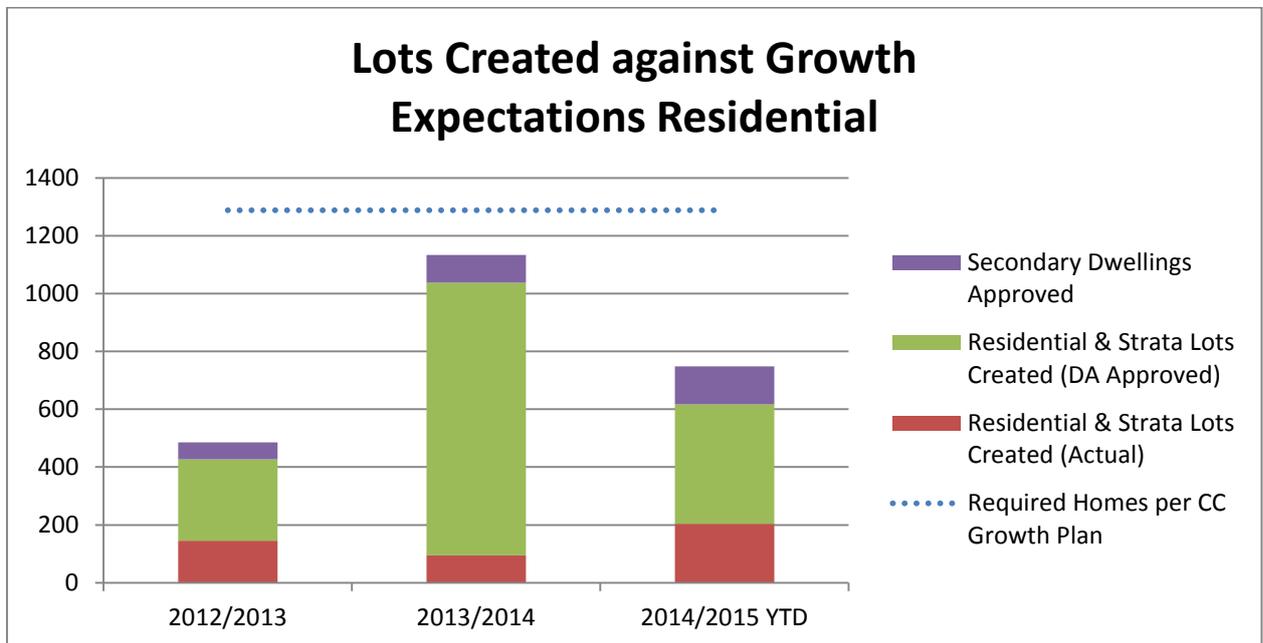
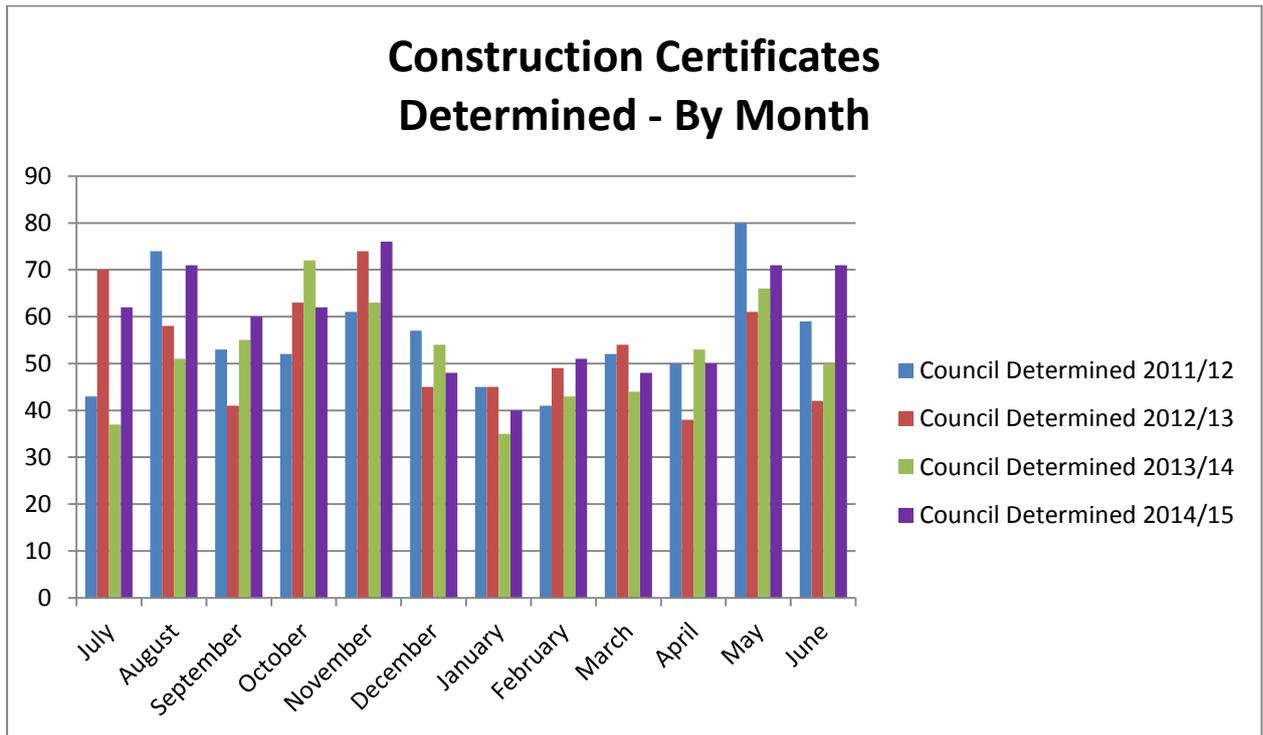
Type	Determined June 2015
Section 149 D Certificates (<i>Building Certificates</i>)	7
Construction Certificates	71
Complying Development Certificates	16

ATTACHMENTS

- 1 Graphs: Development Applications Lodged, Determined, Construction Certificates Determined and Lots Created Against Regional Growth Expectations D12003445







5.10 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2015/00040 - D12000784

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

Report on Outstanding Questions on Notice and Notices of Motion.

RECOMMENDATION

That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

ATTACHMENTS

- 1 Table of Outstanding Questions and Notice of Motions - 22 July 2015 D12000795

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
115	General Manager's Unit	Stephen Naven	<p>7.2 Notice of Motion - Government Rating Outrage</p> <p>50/15 That Council <u>note</u> with great concern the likely significant escalation of the 2015 rate burden on the local lower to mid-market property sector.</p> <p>51/15 That Council <u>note</u> the significant escalation is as a consequence of the recent property market increases and unfair rerating formulas dictated to Council by the State Government Valuer General and Office of Local Government.</p> <p>52/15 That Council <u>call</u> on the State Government to conduct a thorough review into the Valuer General's and Office of Local Government's outdated and discriminatory rating methods that will place undue hardship on many in our community.</p> <p>53/15 That Council <u>investigate</u> a shire wide, online petition in partnership with the community, to give ratepayers a voice to call upon the State Government to reject this outrageous and out of touch taxing.</p> <p>54/15 That Council <u>include</u> in its 2015 Strategic Planning Process a review of all options to assist in reducing the impact of the Government's looming rerating charges.</p>	28 January 2015 Cr Best	Response to be provided August 2015.
128	Infrastructure and Operations	Peter Murray	<p>5.2 Notice of Motion - Wyong Road Landscaping Shambles</p> <p>167/15 That Council <u>note</u> with great concern the current, extremely poor condition of the landscaping of the median and roundabouts along the Shire's premier road corridor, Wyong Road.</p> <p>168/15 That Council <u>note</u> that Wyong Road is a State Road for which the NSW Roads and Maritime Service (RMS) has full management and financial responsibility under the Roads Act 1993.</p> <p>169/15 That Council <u>call</u> on the RMS to consider the safety, value and impact on the community of not providing for sufficient vegetation maintenance, and to provide adequate funding to maintain the landscaping for the full length of the Wyong Road corridor in keeping with community expectations.</p>	25 February 2015 Cr Best	<p>167/15 – Noted</p> <p>168/15 – Noted</p> <p>169/15 – Councillor Business Update distributed 26 March 2015.</p> <p>170/15 – Response to be provided at a future meeting.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			170/15 That Council <u>request</u> the General Manager to report on initiatives that it may consider with this road issue and indeed all roads under the Road Management Council Contracts		
133	Property and Economic Development	John Willey	7.2 - Notice of Motion - Tuggerah Station Parking and Safety Shambles 236/15 That Council <u>reiterate</u> the total inadequacy of parking at and around the Tuggerah Rail Station, and that the provision of such parking is the sole responsibility of Transport NSW and State Government. 237/15 That Council <u>explore</u> all land options in the Tuggerah Rail Station precinct, in partnership with Transport NSW and State Government, to address this issue. 238/15 That Council <u>note</u> the urgent need to immediately deal with this matter and therefore the prospect of interim/temporary parking should also be considered.	11 March 2015 Cr Best Cr Matthews	A Councillor Update has been prepared and awaiting endorsement.
144	Property and Economic Development	Darryl Rayner	2.1 Mayoral Minute - 2015 Garage Sale Trail 367/15 That Council <u>participate</u> in the 2015 Garage Sale Trail program at a cost of \$6,250. 368/15 That Council <u>note</u> the cost will be funded by existing funds allocated to its Waste Unit.	Cr Eaton 22 April 2015	Staff are in the process of submitting the application to participate in this program as well as applying for grant funding.
148	Community and Recreation Services	Maxine Kenyon	7.1 Notice of Motion - Regional Rollout of Council's Skate Park Facilities 493/15 That Council <u>note</u> the recent welcomed response to Council's announcement to significantly expand its regional skate park facilities rollout. 494/15 That Council <u>recognise</u> the need to balance the rollout of such facilities as equitably as possible across the shire. 495/15 That Council <u>note</u> that the asset life of the current Lake Munmorah skate facility has now reached its end and that this location is no longer Council's preferred option. 496/15 That Council <u>request</u> the General Manager to investigate and consult with the local community and key stakeholders to identify the most suitable location for this facility.	Cr Best 13 May 2015	Response to be provided September 2015.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			497/15 <i>That arising from the Council's recent adoption of the skate strategy 2014, Council further request the General Manager to report on proposals and options that will provide improved resource equity to the shire's northern skate facilities. The report should also address the possibility of installing CCTV cameras to provide improved safety to users and reduce the incidents of antisocial behaviour in and around such facilities.</i>		
150	Development and Building	Jamie Loader	6.1 Notice of Motion - Council's Animal Care Facility 539/15 <i>That Council recognise the outstanding work over the past few years by staff and more recently by the current animal care contractor and that this management team has delivered an outcome of near zero euthanising of stray and abandoned pets.</i> 540/15 <i>That Council recognise that the current Charmhaven Animal Care Facility is approaching end of its asset life.</i> 541/15 <i>That Council take a more strategic and regional approach through opening dialogue with Gosford City Council and the current animal care contractors both at Charmhaven and Erina, with the view to establishing a regional, Central Coast animal care facility that will service the future needs of the Coast as a whole.</i> 542/15 <i>That Council consider any such centrally located regional facility in tandem with innovative satellite offices in the region's north and far south to assist residents in outer areas to access these important services.</i> 543/15 <i>That Council request the General Manager to provide a report back to Council.</i>	Cr Best 27 May 2015	Investigations are underway, with a response to be provided September 2015.
152	Infrastructure and Operations	Peter Murray	6.1 Notice of Motion – End Gridlock Pacific Highway, Wyong 627/15 <i>That Council recognises the urgent need to work with the RMS to deliver the Wyong Town leg of the Pacific Hwy, an economically vital transport corridor, relied upon by thousands of local residents as they daily commute.</i>	Cr Best & Troy 10 June 2015	Response to be provided via Councillor Business Update following discussions with the Mayor/Regional Manager of Roads and Maritime Services (RMS) at a meeting to be held 22 July 2015.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>628/15 That further Council <u>recognises</u>, the inordinate delays plaguing this multimillion dollar Highway project as it seeks to accommodate the demand of a small number of property owners must now end.</p> <p>629/15 That Council <u>applauds</u> the timely turnaround of the RMS's final and progressive draft plans currently on exhibition.</p> <p>630/15 That Council <u>encourages</u> all interested parties to make responsible submissions and Council recognises through community representations and submissions there may very well be some adjustments and amendments to the draft plan.</p> <p>631/15 That Council again <u>reiterates</u> that irrespective of any further representation to call for this highway project to bypass through residential back streets will not be entertained by Council.</p> <p>632/15 That, due to the urgent need to construct this important transport corridor, Council, on behalf of our local residents, <u>make funding representations</u> to the State Government seeking to tap into the 6 billion dollar state government regional funding pool.</p> <p>633/15 That the General Manager <u>liaise</u> with the Minister for Roads and RMS in regards to designing a more direct and easier disabled access to Wyong Railway Station, other than that proposed off Howarth Street.</p>		
153	Infrastructure and Operations	Peter Murray	<p>Q22/15 Link Road Intersection at Blue Haven</p> <p>"Mr Mayor,</p> <p>As the local Councillor for the Blue Haven area it has been drawn to my attention by many residents of Blue Haven that the intersection of Blue Haven Way and the Motorway link is a high risk intersection.</p>	Cr Best	Response to be provided via Councillor Business Update following discussions with the Mayor/Regional Manager of Roads and Maritime Services (RMS) at a meeting to be held 22 July 2015.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>I appreciate the Motor Way Link is not a Council road, however can you appeal to advocate on behalf of our local Community to the RMS, to provide an improved intersection works on this arterial road with a closing speed at the intersection of some 200km/hr, of particular concern is the almost non-existent acceleration lane heading to the M1. With the huge residential influx in the area this issue can no longer be ignored any response to our representation from the RMS would be appreciated in your reply to this question and indeed the good folk of Blue Haven?"</i>		
154	Property and Economic Development	Peter Stokes	<p>6.1 Notice of Motion – Wyong Grove Public School “The Grove” Continued Community Use</p> <p>683/15 <i>That Council request the General Manager to write and make representation to the Minister for Education, Adrian Piccoli MP to:</i></p> <ul style="list-style-type: none"> • <i>Acknowledge the current lease arrangement with the State Government at the closed Wyong Grove Public School which is allowing an integrated community campus to flourish, being used for community and arts programs.</i> • <i>Request the Minister to ensure the continuity of this very important community campus.</i> • <i>Request the Minister, as Wyong Grove Public School has been declared surplus, to vest the site by gift or community trust in the care of the Wyong Shire Council for continued community use, programs and community partnerships.</i> 	Cr Greenwald 24 June 2015	Further investigation regarding historical context is being conducted in order for a letter to be drafted.
155	General Manager's Unit	Marie Hanson-Kentwell	<p>6.2 Notice of Motion – Wyong Gosford Super Council</p> <p>684/15 <i>That Council note the findings of the recently required 'Fit For The Future' (FFTF) Shire Wide Survey that revealed a clear majority of residents, businesses and Council Staff, do not support the State Government's proposed push to amalgamate Wyong and Gosford Councils into a Super Council.</i></p>	Cr Best 24 June 2015	Request for a referendum was included in a letter to the Minister for the FFTF submission.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>685/15 That Council note that:</p> <p>(a) the survey indicates that the majority of residents and rate payers do not support the merger; and</p> <p>(b) further the FFTF reveals a large number of significant structural and hidden costs associated with any such Super Council amalgamation; and</p> <p>(c) it is important to develop a clear and cogent case 'for and against' this proposition.</p> <p>(d) the importance of listening to and considering the democratic voice of our local community, as this decision will unquestionably have far reaching and intergenerational impacts across the Wyong and Gosford local government areas.</p> <p>686/15 That Council request the Minister for Local Government refer the question of whether Wyong and Gosford Councils are to merge to a referendum in the Wyong and Gosford local government areas prior to the Minister deciding whether the two councils are to be amalgamated.</p> <p>687/15 That Council request the referendum be conducted by the NSW Electoral Commission to ensure transparency and integrity in the process.</p> <p>688/15 That Council request the NSW Government provide the funding for the referendum.</p>		
156	Community and Recreation Services	Maxine Kenyon	<p>Q23/15 Shared Pathway</p> <p>"Mr Mayor,</p> <p>I make representation on behalf of the Local Community of Lake Munmorah and their precinct committee around the progress of delivering the Mannering Park Shared Pathway Project. This initiative has been in discussion for many years now and I seek staffs advice as to the current status and how we can assist in progressing this initiative. I understand through the precinct committee they indicate that "Councils simple recognition of their route in the shared pathway would alleviate a major stumbling block" could this aspect please be address in the staff reply?"</p>	Cr Best 24 June 2015	Response to be provided at Ordinary Meeting end 12 August 2015.
160	Infrastructure and Operations	Greg McDonald	<p>Q26/15 Heritage Lighting Wyong</p> <p>"Can the General Manager please advise why the heritage lighting throughout Wyong Town Centre has been removed/ demolished?"</p>	Cr Matthews 8 July 2015	Response to be provided at a future meeting.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
8 JULY 2015**

No#	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
145	Infrastructure and Operations	8.1 Notice of Motion - Traffic Management - Watanobbi Road	Cr Taylor 22 April 2015	Scope of works identified at Traffic Committee and will be investigated and listed in the Roads and Drainage Infrastructure Forward Works Program for consideration in future budgets.
149	General Manager's Unit	Q20/15 Local Mobile Phone Towers	Cr Greenwald 13 May 2015	Completed.
151	Community and Recreation Services	Q21/15 Lightbulb Moment	Cr Best 27 May 2015	A service request was lodged and the works completed to repair the lightbulb.
157	General Manager's Unit	Q24/15 State Government 2015 Budget Funding in Wyong Shire	Cr Best 24 June 2015	Report included on the agenda for Ordinary Meeting 22 July 2015.
158	Infrastructure and Operations	Q25/15 Storm Event Recovery	Cr Greenwald 24 June 2015	Councillor Business Update issued 10 July 2015.
159	Infrastructure and Operations	U3/15 Motion of Urgency - RMS's Speedbump Band-Aid, Toukley	Cr Best 8 July 2015	Councillor Business Update issued 10 July 2015.

6.1 Answer to Question on Notice - Q24/15 State Government 2015 Budget Funding in Wyong Shire

TRIM REFERENCE: F2004/06377 - D11993449
MANAGER: Stephen Naven; Chief Financial Officer
AUTHOR: Melissa McKee; Corporate Planning Executive

Q24/15 State Government 2015 Budget Funding in Wyong Shire

The following question was asked by Councillor Best at the Ordinary Meeting on 24 June 2015:

“Mr Mayor,

Could you please provide Council with a report on how our Shire fared with direct funding in this year's recently released State Government Budget?”

The 2015/16 NSW Budget delivers upgraded roads, medical facilities and rail infrastructure for the Wyong Shire.

Roads

The Budget commits funding to upgrade key sections of the road network to support population growth, reduce travel times, improve safety and enhance the critical freeway link between Sydney, the Central Coast and Newcastle.

Major projects in the Wyong Shire include:

- Commence construction of the upgrade of the intersection of Wyong Road with Enterprise Drive at Chittaway Bay (\$10 million).
- Commence construction of the Pacific Highway widening to four lanes between Ourimbah Street, Lisarow and Glen Road, Ourimbah (\$10 million)
- Pacific Highway, Wyong Road Intersection Upgrade (\$10 million)
- Wyong Road, Mingara Drive to Tumbi Road Upgrade (\$7 million)
- Planning for the Pacific Highway through Wyong township. This \$1.5 million allocation will bring the total spent on planning at this location to \$10.2 million.
- Planning of the Link Road at Warnervale, Albert Warner Drive to Pacific Highway (\$500,000)
- Pacific Motorway (M1) Productivity Package (\$11.5 million)

Funding for recurrent road programs including Regional Road Block Grants and Repair Program have generally been maintained in real terms, but not increased, which is within normal expectations (\$800,000).

Health

The Budget commits \$2.2 million to complete construction of a Renal Dialysis Centre at Long Jetty.

6.1 Answer to Questions on Notice - Impact of NSW State Budget on Wyong Shire (contd)

Rail Infrastructure

The Budget also provides \$94 million towards a new Intercity Rail Fleet with procurement set to start in 2015/16. This project will deliver new state of the art trains for customers from Newcastle, the Central Coast, Blue Mountains and Illawarra.

State Government Taxes

The Budget does not contain any new taxes or other financial impositions on Local Government.

ATTACHMENTS

Nil.

22 July 2015

To the Ordinary Council Meeting

Councillor

7.1 Notice of Motion - Establishment of New Extreme Bike and Skate Facility in our Shire's North

TRIM REFERENCE: F2004/08001 - D12007614

AUTHORS: Greg Best; Councillor

Adam Troy; Councillor

Councillors Best and Troy have given notice that at the Ordinary Council Meeting to be held on Wednesday 22 July 2015 they will move the following Motion:

- "1 That Council welcomes the community's recent drive to establishment a steering committee to activate a Northern area competition BMX Track based at San Remo.*
- 2 That Council request the General Manager to provide a report on the Committee's initiative to activate a new competition standard version of the Extreme Bike and Skate Facility at San Remo and that committee representatives be invited to brief Council on their vision.*
- 3 That further to Council's recent announcement to construct a major regional Skate Facility in the Shires South, Council recognises the need to equitability distribute resources across the Shire, to this end Council welcomes this community driven initiative."*

RESOURCES

Council staff have been working closely with local community groups and members of the public who have requested to build a competition BMX track at the X-Park at San Remo. A number of site meetings have already been held and a committee is being established on the 16 July 2015 to support the initiation of this project. A report will be prepared for 9 September 2015 Ordinary Meeting of Council.

This request can be managed within current resourcing levels.

ATTACHMENTS

Nil.

22 July 2015

To the Ordinary Council Meeting

Councillor

7.2 Notice of Motion - Shire Wide Events and Promotions Board

TRIM REFERENCE: F2004/07562 - D12010507

AUTHOR: Lloyd Taylor; Councillor

Councillor Taylor has given notice that at the Ordinary Council Meeting to be held on Wednesday 22 July 2015 he will move the following Motion:

- “1 That Council reaffirm its’ principle direction from the February workshop to investigate options for management and promotion of tourism including shire wide events and promotions ”.*
- “2 That Council, based on the findings of the options investigation, negotiate changes to existing agreement with The Entrance Centre Management (TECM),”*

RESOURCES

This will require additional full time employees in both the Property and Economic Development and Community and Recreation Services directorates. Exact staffing numbers are unknown pending further investigation.

ATTACHMENTS

Nil.